



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 111<sup>th</sup> CONGRESS, FIRST SESSION

Vol. 155

WASHINGTON, WEDNESDAY, JANUARY 7, 2009

No. 2

## House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mrs. TAUSCHER).

### DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
January 7, 2009.

I hereby appoint the Honorable ELLEN O. TAUSCHER to act as Speaker pro tempore on this day.

NANCY PELOSI,  
*Speaker of the House of Representatives.*

### PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

Lord our God, gathered together as Members of the 111th Congress, we are ready to work for the good of this Nation. Called by Your voice and the will of free people, make us attentive to Your word. Being restless in our world, grant us Your peace.

Whatever their diverse needs, let us respond the best we can. Having found common ground in this Nation's history and principles of this sound government, guide us to accomplish deeds of justice and good order for all our citizens.

We commend ourselves and this Nation to You, as the shepherd and guardian of our souls, now and forever.

Amen.

### THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House her approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

### PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Arkansas (Mr. BOOZMAN) come forward and lead the House in the Pledge of Allegiance.

Mr. BOOZMAN led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate agreed to the following resolution:

#### S. RES. 8

In the Senate of the United States, January 6, 2009.

Whereas Claiborne Pell represented the people of Rhode Island with distinction for 36 years in the United States Senate, from 1961 to 1997, and was the longest-serving Senator in Rhode Island's history;

Whereas Claiborne Pell served in the United States Coast Guard and the Coast Guard Reserve, beginning in 1941 and retiring in 1978 with the rank of Captain;

Whereas Claiborne Pell participated in the 1945 United Nations Conference on International Organization that established the United Nations, and was a champion of the United Nations throughout his life;

Whereas Claiborne Pell served as a Foreign Service Officer from 1945 to 1952;

Whereas Claiborne Pell sponsored the legislation that, in 1965, created the National Endowment for the Arts and the National Endowment for the Humanities and, in 1966, created the National Sea Grant College and Program;

Whereas Claiborne Pell's vision led to the creation of an improved passenger rail system in the Northeast and across the United States;

Whereas Claiborne Pell believed that economic means should not be a barrier to a higher education and sponsored legislation creating the Basic Educational Opportunity Grants in 1972, which were renamed "Pell Grants" in 1980;

Whereas Pell Grants have helped 54,000,000 people in the United States secure a higher education;

Whereas Claiborne Pell sought to expand educational opportunities throughout his tenure as a member and as Chairman of the Senate Subcommittee on Education, Arts and Humanities;

Whereas Claiborne Pell served as Chairman of the Senate Committee on Foreign Relations in the 100th through 103rd Congresses;

Whereas Claiborne Pell was a champion of human rights who devoted himself to promoting a peaceful resolution to international conflict and the elimination of the threat of nuclear weapons; and

Whereas the hallmarks of Claiborne Pell's public service were unsurpassed respect, decency, and civility: Now, therefore, be it

*Resolved*, That—

(1) the Senate has heard with profound sorrow and deep regret the announcement of the death of the Honorable Claiborne Pell, former member of the United States Senate;

(2) the Secretary of the Senate communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased; and

(3) that when the Senate adjourns today, it stand adjourned as a further mark of respect to the memory of the Honorable Claiborne Pell.

The message also announced that the Senate agreed to the following joint resolution:

S.J. Res. 3. Joint resolution ensuring that the compensation and other emoluments attached to the office of Secretary of the Interior are those which were in effect on January 1, 2005.

### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

### STAND FOR THE RULE OF LAW, NOT THE RULE OF FORCE

(Mr. KUCINICH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KUCINICH. Madam Speaker, we cannot truly celebrate a new year, a

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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new Congress and a new administration if all we see is the same old destruction in the Middle East with U.S. weapons being illegally used to kill children.

I oppose Hamas' rocket attacks on Israel. The rocket attacks, even to try to end the blockade, have no moral justification, are illegal, and must stop. But how can Israel claim self-defense when it bombs Gaza, which has no army, no air force, no navy, and has been under a constant blockade? How can Israel claim self-defense when its bombs destroy U.N. schools, killing children?

The children of Palestinians and the children of Israel both deserve life. But the lives of the children of Gaza are cynically discounted as human shields. Massacres are being rationalized. Israel's "moral high ground" in Gaza, a growing pile of small bones in a graveyard.

The administration knows Israel is using U.S. weapons, paid for by U.S. taxpayers, with disproportionate force, creating a collective punishment of Gazans, assuring an escalation of conflict, clear violations of the Arms Export Control Act.

Israel was given U.S. weapons on condition they would not be used for aggression or escalation. This outgoing administration must finally stand for the rule of law, not the rule of force.

#### IN MEMORY OF SERGEANT JOHN PENICH, U.S. ARMY

(Mr. BOOZMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BOOZMAN. Madam Speaker, I rise today to honor a brave American soldier who sacrificed his life for freedom, Sergeant John Penich.

Sergeant Penich, by all accounts, was an extraordinary soldier whose hard work and determination earned him the title of Soldier of the Year in 2007 for his brigade. His bravery was evident in combat on several occasions. Brigadier General Perry Wiggins has said he knows of three separate instances when Sergeant Penich saved the lives of his comrades.

According to newspaper reports, one of his final acts of bravery came on September 6, 2008, when his patrol was attacked by rocket-propelled grenades and small-arms fire. He showed his courage under fire, taking charge and reestablishing security and saving the lives of his platoon members. His heroics on that day earned him a Silver Star, the third highest honor given to members of the armed services for valor.

Five and a half weeks after he earned the Silver Star, he gave the ultimate sacrifice. Sergeant Penich put himself in harm's way to make the world a better place.

His commitment to this country is second to none. He wanted to be an officer, and there's no doubt we would have benefited from this young man's tremendous leadership abilities.

Sergeant John Penich is a true American hero. I ask that my colleagues keep his family and friends in their thoughts and prayers during this very difficult time.

#### CONGRESS MUST WORK TO SAVE AND CREATE JOBS DURING THESE UNCERTAIN TIMES

(Ms. LORETTA SANCHEZ of California asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. LORETTA SANCHEZ of California. Madam Speaker, last year, nearly 2 million Americans lost their jobs. Almost half of those job losses came in October and November, after the financial collapse of Wall Street.

The December jobs numbers will be out in a couple of days, but it is not likely to be good news. All month long retailers were saying that they had to lay off seasonal help because Americans simply were not spending their money. And that's not surprising, considering that many of our constituents are justifiably concerned about their job security. Even those that are confident that they will hold on to their jobs are feeling financially squeezed because they are being paid less than they were 10 years ago.

As the 111th Congress begins this week, we are committed to getting Americans back to work and preventing further job cuts from happening later this year. We also want to provide middle class Americans with tax relief so they can better afford their monthly bills.

Madam Speaker, as change comes to Washington, we should work in a bipartisan manner to pass an economic recovery package quickly. We cannot afford to wait.

#### A NEW YEAR

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Madam Speaker, this year we should work immediately to address the challenges facing our Nation. Recent job losses and a decline in the housing market have led many Americans to lose confidence in our economy. I am optimistic, however, that sound bipartisan solutions that support small businesses and provide tax relief to American families will mean a quicker recovery and less of a burden on future generations of taxpayers.

As we expand opportunities for job creation, Congress should promote an all-of-the-above energy strategy. We cannot sustain our expensive and strategically dangerous dependence on foreign oil.

While there remain enemies who threaten our freedoms, I am grateful that our fighting men and women remain committed to their duty. We must defeat terrorists overseas to pro-

tect American families at home. We must always honor our military and veterans.

I am confident that we will lead our Nation toward greater prosperity and security if we trust and invest in the ingenuity and spirit of the American people with limited government.

In conclusion, God bless our troops, and we will never forget September the 11th.

#### ECONOMIC RECOVERY PLAN INVESTS IN AMERICA'S FUTURE

(Mr. PALLONE asked and was given permission to address the House for 1 minute.)

Mr. PALLONE. Madam Speaker, at a time of great economic anxiety, this new Congress faces enormous challenges. In the next 6 weeks we're going to craft and hopefully pass an economic recovery package that will create and save millions of jobs and will help jump start our economy with investments in some of our Nation's top priorities.

At a time when millions of Americans are losing their health insurance, Washington needs to provide critical assistance to States so that they can continue to provide health care services through Medicaid. If Congress does not act, States will have no other choice than to begin dropping coverage. That is an immediate health care concern that we should deal with as part of any economic stimulus package.

But we also have an opportunity to modernize our health care system with new computer technology that will greatly reduce health care costs and will improve care for every American.

Madam Speaker, I look forward to working with all of my colleagues in crafting a bipartisan plan that will help rebuild our economy so that we can get people back to work.

#### SELF DEFENSE AGAINST RELIGIOUS EXTREMISM

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Madam Speaker, the radical hate group Hamas in Gaza has refused to renew a truce with Israel. It has begun once more firing thousands of Iranian-made rockets into Israel. Numerous Israelis have died in the last 11 days.

Hamas wants to annihilate Israel because, well, they're Jews. Hamas kills people that aren't radical Muslims like themselves. That's why they're called terrorists.

Hamas cowardly hides among civilians for cover, fires rockets, then is indignant if Israel defends itself. But Israel has moved into Gaza to find these bad guys.

Some world leaders, rather than mounting pressure on Hamas to stop the rocket attacks, are calling for a ceasefire, even a unilateral withdrawal

of Israeli forces from Gaza. In other words, peace at any price.

Peace ought to be a goal, but not at all costs. Actually, some things are worth fighting for. Now is not the time for unrealistic, hopeful idealism. Lives are on the line.

Men may cry peace, peace, but there can be no peace as long as Hamas kills in the name of religion.

And that's just the way it is.

#### RULE CHANGES BY THE MAJORITY

(Mr. GINGREY of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GINGREY of Georgia. We had two Members, Madam Speaker, speak this morning on the issue in the Gaza Strip. I tend to agree with my colleague on this side of the aisle, Mr. POE, and tend to disagree with my colleague on the other side of the aisle, the Democratic Member, Mr. KUCINICH.

But I did want to point out something, the analogy between what he said and what happened on the floor of this House yesterday in regard to changing the rules package. Mr. KUCINICH said, in regard to the proportionality and Israel's response to Hamas and the Gaza Strip, we ought to abide by the rule of law, rather than the rule of force.

Well, I would say the same thing to the Democratic majority in regards to the rules change yesterday. You have a 40-vote margin, and you come in and you change the rules, and all of a sudden you weaken your PAYGO initiative so that you can declare spending an emergency to avoid PAYGO.

You said when you took control in the 110th that this business of holding a vote open for 3½ hours, breaking arms to change a vote, should never occur. You wanted to eliminate that, and now you say that's okay; we can do that.

I would say to my Democratic majority, despite those rules changes, for the sake of the American people, I hope my colleagues on the other side of the aisle come to recognize the need to include all voices in the legislative process.

#### PAYCHECK FAIRNESS ACT AND THE LILLY LEDBETTER FAIR PAY ACT

(Mrs. MALONEY asked and was given permission to address the House for 1 minute.)

Mrs. MALONEY. Madam Speaker, this week, this Congress will take up two tremendously important bills that will work towards ending discrimination against women who still earn 78 cents to the dollar. We hope to get it to the Senate, pass it in the Senate and have it on President Obama's desk as one of the first bills for him to sign.

The Paycheck Fairness Act could be called the Free Speech Restoration Act because one of its features simply ensures that employees have the right to

give out personal information on how much they make without being fired. Some of our corporations say, if you tell anyone how much you make, you will be fired.

The second, the Lilly Ledbetter Fair Pay Act, says that you can no longer cap damages. You cannot cap the amount of time that a person can be discriminated against. The Supreme Court held that if you did not bring a case within 180 days about pay discrimination, you could never bring it. So for 18 years, Lilly Ledbetter was discriminated against, and this Supreme Court said she could not bring suit. This Congress is changing that with this bill.

I urge a "yes" vote on these important bills.

□ 1015

#### MAINTAINING AMERICA'S PROSPERITY AND DEMOCRACY

(Mr. MCCOTTER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MCCOTTER. When the House last met in December, in the dying days of the 110th Congress, thanks to the leadership of the Speaker and of the chairman of Financial Services and of the people of this body, we sent a rescue package for the auto industry over to the Senate. Unfortunately, the Senate did not allow it to come up for a vote. Fortunately, President Bush and the administration offered and extended a bridge loan to the auto industry to keep the hardworking men and women employed and to keep America's manufacturing sector vital. We did not rejoice.

We understand that restructuring is necessary and that it will be painful. It will intensify and it will continue, but we also vow to do what we need to do to ensure that America keeps its engine of prosperity and its arsenal of democracy. We will prove the doubters wrong.

#### DEMOCRATS LOOK TO PROVIDE TAX RELIEF TO 95 PERCENT OF AMERICANS

(Mr. PERLMUTTER asked and was given permission to address the House for 1 minute.)

Mr. PERLMUTTER. Our Nation is facing some of the worst economic conditions in decades. By the end of next year, our economy could fall \$1 trillion short of its full capacity. That is a loss of \$12,000 of income for every family in America. We cannot continue on this same economic course. Congress must take bipartisan action in the coming weeks to improve our economy both in the near term and down the line.

Economists tell us that we must act in bold terms—that we must invest in new technologies and, most importantly, that we must invest in the American people.

Congress should work with President-elect Obama to craft a targeted and fiscally responsible economic recovery package that invests in the middle class families by providing them with tax relief during these uncertain times.

Madam Speaker, it's going to take time to turn this economy around, but we should start the process immediately so that all Americans can once again live the American dream.

#### THE COOPER-WOLF SAFE COMMISSION: A BIPARTISAN SOLUTION

(Mr. WOLF asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WOLF. Madam Speaker, I have never been more concerned about the short-term and the long-term budget shortfalls we face as a Nation.

Yesterday, President-elect Obama said we have trillion-dollar deficits for years to come even with the economic recovery we're working on. Whatever stimulus package, rumored to top \$700 billion, is brought to the House floor for a vote, Congress has an historic opportunity to work in a bipartisan way.

There is a plan already on the table that has garnered the support of over 100 Members of the House. It is the bipartisan plan that Congressman COOPER and I have that puts every spending program on the table and that sets up a bipartisan commission of eight Republicans and eight Democrats.

If this Congress does not pass this, then no Member ought to be able to go home and give the traditional Rotary speeches about how concerned they are for your children and for your grandchildren of the country. The real issue is, with trillion-dollar deficits, if we don't deal with the entitlement issues, we will fail.

#### DEMOCRATS LOOK TO PROVIDE TAX RELIEF TO 95 PERCENT OF AMERICANS

(Ms. WATSON asked and was given permission to address the House for 1 minute.)

Ms. WATSON. Madam Speaker, the current economic recession is putting a lot of pressure on American families. Today, millions of our constituents are fearful that they could lose their jobs any day now.

Last night, my sister told me that she lost hers in New York. They've seen family members or work colleagues already let go, and they are uncertain about their futures. They are also working for less money than they did 10 years ago. Yet they face skyrocketing bills for their children's education, for health care and for their own groceries. They hear the bleak economic forecast on the news every night, and they're looking for help. We all know that the U.S. economy is in trouble, but now the question is: What are we going to do about it?

Democrats and Republicans must come together to pass a robust economic recovery package that includes tax relief to middle class families so we can begin to relieve the pressure that they feel every time they pay a bill.

Madam Speaker, the American people are looking to us for help and for help to jump start this economy. Let's go to work.

#### THE NEED FOR BIPARTISANSHIP IN THIS ECONOMIC CRISIS

(Mr. ADLER of New Jersey asked and was given permission to address the House for 1 minute.)

Mr. ADLER of New Jersey. Madam Speaker, last year, our economy experienced the weakest employment growth since the Great Depression, causing more and more families across the country to feel financially strapped. The U.S. economy lost hundreds of thousands of jobs in the first eleven months of 2008, and we heard bad news this morning about December's reports. The employment rate last year reached the highest level since 1993, and it could get worse, and those who managed to keep their jobs are experiencing stagnant and falling wages.

Americans are concerned about their futures as debts continue to mount, as bills pile up and as parents worry that their children won't have the same opportunities they had. Small businesses are an integral part of getting this economy moving again. We must ensure that we take appropriate action to assist small businesses and to restore our economic engine of growth. Small businesses represent the backbone of this country and of America's unwavering entrepreneurial spirit.

Madam Speaker, we must address our economic challenges quickly, and we must work in a strong bipartisan fashion to relieve the financial strain Americans feel every day. We must work immediately to pass an economic recovery package.

#### COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, January 7, 2009.

Hon. NANCY PELOSI,  
The Speaker, House of Representatives,  
Washington, DC.

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on January 6, 2009, at 5:13 p.m.:

That the Senate agreed to S. Res. 2.  
That the Senate agreed to S. Con. Res. 1.  
That the Senate agreed to S. Con. Res. 2.  
With best wishes, I am

Sincerely,

LORRAINE C. MILLER,  
Clerk of the House.

#### PROVIDING FOR A JOINT SESSION TO COUNT ELECTORAL VOTES

The SPEAKER pro tempore laid before the House the following privileged Senate concurrent resolution:

S. CON. RES. 1

*Resolved by the Senate (the House of Representatives concurring),* That the two Houses of Congress shall meet in the Hall of the House of Representatives on Thursday, the 8th day of January 2009, at 1 o'clock post meridian, pursuant to the requirements of the Constitution and laws relating to the election of President and Vice President of the United States, and the President of the Senate shall be their Presiding Officer; that two tellers shall be previously appointed by the President of the Senate on the part of the Senate and two by the Speaker on the part of the House of Representatives, to whom shall be handed, as they are opened by the President of the Senate, all the certificates and papers purporting to be certificates of the electoral votes, which certificates and papers shall be opened, presented, and acted upon in the alphabetical order of the States, beginning with the letter 'A'; and said tellers, having then read the same in the presence and hearing of the two Houses, shall make a list of the votes as they shall appear from the said certificates; and the votes having been ascertained and counted in the manner and according to the rules by law provided, the result of the same shall be delivered to the President of the Senate, who shall thereupon announce the state of the vote, which announcement shall be deemed a sufficient declaration of the persons, if any, elected President and Vice President of the United States, and, together with a list of the votes, be entered on the Journals of the two Houses.

The Senate concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

#### PROVIDING FOR CONTINUATION OF JOINT COMMITTEE TO MAKE INAUGURATION ARRANGEMENTS

The SPEAKER pro tempore laid before the House the following privileged Senate concurrent resolution:

S. CON. RES. 2

*Resolved by the Senate (the House of Representatives concurring),* That effective from January 6, 2009, the joint committee created by Senate Concurrent Resolution 67 (110th Congress), to make the necessary arrangements for the inauguration, is hereby continued with the same power and authority provided for in that resolution.

SEC. 2. Effective from January 6, 2009, the provisions of Senate Concurrent Resolution 68 (110th Congress), to authorize the rotunda of the United States Capitol to be used in connection with the proceedings and ceremonies for the inauguration of the President-elect and the Vice President-elect of the United States, are continued with the same power and authority provided for in that resolution.

The Senate concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

#### REAPPOINTMENT AS MEMBERS OF JOINT COMMITTEE ON INAUGURAL CEREMONIES

The SPEAKER pro tempore. Pursuant to Senate Concurrent Resolution 2,

111th Congress, and the order of the House of January 6, 2009, the Chair announces the Speaker's reappointment of the following Members of the House to the Joint Congressional Committee on Inaugural Ceremonies:

Ms. PELOSI, California  
Mr. HOYER, Maryland  
Mr. BOEHNER, Ohio

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered or on which the vote is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken later today.

#### PRESIDENTIAL RECORDS ACT AMENDMENTS OF 2009

Mr. TOWNS. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 35) to amend chapter 22 of title 44, United States Code, popularly known as the Presidential Records Act, to establish procedures for the consideration of claims of constitutionally based privilege against disclosure of Presidential records.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 35

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Presidential Records Act Amendments of 2009".

#### SEC. 2. PROCEDURES FOR CONSIDERATION OF CLAIMS OF CONSTITUTIONALLY BASED PRIVILEGE AGAINST DISCLOSURE.

(a) IN GENERAL.—Chapter 22 of title 44, United States Code, is amended by adding at the end the following:

#### "§ 2208. Claims of constitutionally based privilege against disclosure

"(a)(1) When the Archivist determines under this chapter to make available to the public any Presidential record that has not previously been made available to the public, the Archivist shall—

"(A) promptly provide notice of such determination to—

"(i) the former President during whose term of office the record was created; and

"(ii) the incumbent President; and

"(B) make the notice available to the public.

"(2) The notice under paragraph (1)—

"(A) shall be in writing; and

"(B) shall include such information as may be prescribed in regulations issued by the Archivist.

"(3)(A) Upon the expiration of the 20-day period (excepting Saturdays, Sundays, and legal public holidays) beginning on the date the Archivist provides notice under paragraph (1)(A), the Archivist shall make available to the public the record covered by the notice, except any record (or reasonably segregable part of a record) with respect to which the Archivist receives from a former President or the incumbent President notification of a claim of constitutionally based

privilege against disclosure under subsection (b).

“(B) A former President or the incumbent President may extend the period under subparagraph (A) once for not more than 20 additional days (excepting Saturdays, Sundays, and legal public holidays) by filing with the Archivist a statement that such an extension is necessary to allow an adequate review of the record.

“(C) Notwithstanding subparagraphs (A) and (B), if the period under subparagraph (A), or any extension of that period under subparagraph (B), would otherwise expire after January 19 and before July 20 of the year in which the incumbent President first takes office, then such period or extension, respectively, shall expire on July 20 of that year.

“(b)(1) For purposes of this section, any claim of constitutionally based privilege against disclosure must be asserted personally by a former President or the incumbent President, as applicable.

“(2) A former President or the incumbent President shall notify the Archivist, the Committee on Oversight and Government Reform of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate of a privilege claim under paragraph (1) on the same day that the claim is asserted under paragraph (1).

“(c)(1) The Archivist shall not make publicly available a Presidential record that is subject to a privilege claim asserted by a former President until the expiration of the 20-day period (excluding Saturdays, Sundays, and legal public holidays) beginning on the date the Archivist is notified of the claim.

“(2) Upon the expiration of such period the Archivist shall make the record publicly available unless otherwise directed by a court order in an action initiated by the former President under section 2204(e).

“(d)(1) The Archivist shall not make publicly available a Presidential record that is subject to a privilege claim asserted by the incumbent President unless—

“(A) the incumbent President withdraws the privilege claim; or

“(B) the Archivist is otherwise directed by a final court order that is not subject to appeal.

“(2) This subsection shall not apply with respect to any Presidential record required to be made available under section 2205(2)(A) or (C).

“(e) The Archivist shall adjust any otherwise applicable time period under this section as necessary to comply with the return date of any congressional subpoena, judicial subpoena, or judicial process.”

(b) **RESTRICTIONS.**—Section 2204 of title 44, United States Code (relating to restrictions on access to presidential records) is amended by adding at the end the following new subsection:

“(f) The Archivist shall not make available any original presidential records to any individual claiming access to any presidential record as a designated representative under section 2205(3) if that individual has been convicted of a crime relating to the review, retention, removal, or destruction of records of the Archives.”

(c) **CONFORMING AMENDMENTS.**—(1) Section 2204(d) of title 44, United States Code, is amended by inserting “, except section 2208,” after “chapter”.

(2) Section 2207 of title 44, United States Code, is amended in the second sentence by inserting “, except section 2208,” after “chapter”.

(d) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 22 of title 44, United States Code, is amended by adding at the end the following:

“2208. Claims of constitutionally based privilege against disclosure.”

**SEC. 3. EXECUTIVE ORDER OF NOVEMBER 1, 2001.**  
Executive Order No. 13233, dated November 1, 2001 (66 Fed. Reg. 56025), shall have no force or effect.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. TOWNS) and the gentleman from California (Mr. ISSA) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

#### GENERAL LEAVE

Mr. TOWNS. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days in order to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. TOWNS. Madam Speaker, I yield myself such time as I may consume.

H.R. 35, the Presidential Records Act Amendments of 2009, will restore public access to Presidential records. Identical legislation was introduced in the last Congress and passed the House with strong bipartisan support.

The Presidential Records Act of 1978 established that the records of the President belong to the American people, not to the President. It also ensured that these records would be released to historians and to the public in a timely manner.

In an executive order issued in November 2001, President Bush reversed the presumption of disclosure in the Presidential Records Act. The order gave Presidents and former Presidents the ability to delay the public release of records even long after their own deaths. For the first time, it gave former Presidents the ability to assert privilege over their own records.

Today's legislation restores the intent of the Presidential Records Act. It makes clear that only Presidents and former Presidents, not former Vice Presidents or the descendants of Presidents, can make assertions of privilege over records. It gives former Presidents the authority to assert privilege over their own records, but it requires a sitting President or a court to agree with the assertions in order for those records to be withheld from the public, and it sets strict deadlines for the President and former Presidents to review records before they release them to the public. This legislation will prevent former Presidents from withholding embarrassing records, and will allow historians to tell a complete story about Presidential administrations.

I would like to thank the ranking member, of course, from California, Mr. ISSA, for his cooperation in moving this measure to the floor very quickly. I would like to thank him for that. I know that we share the same goals of making government more open and less wasteful, and we plan to work together on those goals in a bipartisan manner.

I also thank the previous chairman, Congressman WAXMAN, for his work in

the last Congress, who did a marvelous job. Of course, that's the reason why we are able to move very quickly, because of some of the work that he was able to do in the last Congress.

Madam Speaker, I reserve the balance of my time.

Mr. ISSA. Madam Speaker, I yield myself such time as I may consume.

The new chairman and I both are assuming these positions after a long period of time of serving in lesser positions on Government Reform, and we come to it, I think, equally with the same vigor, with a vigor to make this committee a bipartisan committee, a committee that works openly between the majority and minority for the purpose of making sure that government works openly for the people who we serve.

□ 1030

I want to thank the chairman today because as we bring three votes from our committee, each of these was shared with the other in consultation, each of them was agreed were necessary and could be moved in a timely fashion today. Each of them will be presented to our conferences as non-controversial, and in fact, ones that should pass unanimously or near unanimously. This is a great start.

I'm particularly pleased with the chairman and myself to be able to offer the first pieces of legislation of the 111th Congress because I expect that this committee will be the most productive committee of the Congress. It is the committee that has the greatest responsibility, as President-elect Obama has said, to make government accountable. We are that committee.

I look forward to it. As the chairman said, this piece of legislation does restore a balance. It is not a balance that's without controversy, but it is a balance that I believe is appropriate.

Additionally, to what is in the language of the bill, which the chairman did a good job of explaining, there is, in fact, a final holdback which is any President asserting some Presidential secret or particular current damage to the government would be able to overcome this legislation, but it will be the burden of the current President, and as the chairman said, the burden of the previous President to make a case for why records should not be made public rather than the other way around.

I look forward to a floor vote on this on a bipartisan basis and urge passage of this bill.

I yield back the balance of my time.  
Mr. TOWNS. Madam Speaker, I yield 1 minute to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Thank you very much, Mr. Chairman.

I look forward to working with you in this upcoming session of Congress and working with Mr. ISSA.

I want to thank you for bringing this bill forward. If we truly have government of the people, then there has to be transparency. And not only must

Presidents be accountable, but former Presidents must be accountable. And a system of transparency will ensure accountability, particularly with respect to Presidential records.

Now this legislation will make it impossible for Presidential records to be buried. It's going to set strict time frames in which information has to be released to the public. It is not going to permit former Presidents to have unlimited, broad authority to be able to claim through the existing President executive privilege, and it is not going to enable designees of Presidents to assert claims of executive privilege after the death of a former President.

So this is a very important moment where transparency in government trumps the assertion of executive privilege. That can only be good for democracy.

I want to thank once again Mr. TOWNS for his leadership in bringing this forward as one of the first bills of the 111th Congress.

Mr. TOWNS. Madam Speaker, I yield 1 minute to the gentleman from Missouri (Mr. CLAY).

Mr. CLAY. I thank the chairman for yielding.

I look forward to working with Chairman TOWNS, the new Chair of the Oversight and Government Reform Committee, as well as the ranking member, Mr. ISSA.

Let me also say, as an original cosponsor of H.R. 35 and chairman of the Oversight Subcommittee, I am pleased to see the measure presented for consideration by the House today.

Introduced by Chairman TOWNS, this bipartisan bill is intended to promote the timely release of Presidential records under the Presidential Records Act of 1978 by rescinding Executive Order 13233. Issued by President Bush in November 2001, the executive order granted new authority to Presidents, former Presidents, their heirs and designees, and Vice Presidents, allowing them to withhold information from public view unilaterally and indefinitely.

Executive Order 13233 undermines the Presidential Records Act by removing discretion from the archivists of the United States and delaying the release of records that are necessary to give historians and the public a full picture of a President's tenure.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. TOWNS. I yield the gentleman 2 additional minutes.

Mr. CLAY. I thank the chairman for yielding.

Madam Speaker, the American people value the importance of transparency and having an open government. Citizens have a right to know how and why important decisions are made at the highest level of government. This straightforward and bipartisan legislation would ensure that this will be the case by requiring Presidential records to be treated as the property of the American people.

I urge all of my colleagues to support the bill.

Mr. TOWNS. Madam Speaker, as we begin a new Congress and a new Presidency, it is time to move away from the policy of secrecy. The President-elect has spoken of a desire for more openness in government. We in Congress share that goal, and this bill is an important step towards a more transparent White House.

I want to thank my colleague from California and his staff and my staff for the work that they've done on this bill. I urge all of my colleagues to support this bill because this is definitely good government, and I think that we need to be about good government because we cannot afford the luxury of waste, fraud, and abuse.

Madam Speaker, I ask all of my colleagues to support this legislation.

Ms. JACKSON-LEE of Texas. Madam Speaker, let me congratulate you for your reelection as Speaker of the House. It is an honor that you have served with great distinction and verve. I look forward to more of your continued leadership in the 111th Congress.

Madam Speaker, I rise today in support of H.R. 35, the Presidential Records Act Amendments, which amends chapter 22 of title 44, United States Code, popularly known as the Presidential Records Act, to establish procedures for the consideration of claims of constitutionally based privilege against disclosure of Presidential records.

H.R. 35 provides that when the Archivist determines to make available to the public any Presidential record that has not previously been made available to the public, and that is not subject to any claim of constitutionally based privilege against disclosure, the Archivist should provide notice of the determination to the former President during whose term of office the record was created, the incumbent President, and make the notice available to the public. The notice must also be in writing. These amendments strengthen the underlying bill.

The Presidential Records Act itself governs the official records of Presidents and Vice Presidents created or received after January 20, 1981, and mandates the preservation of all Presidential records. The act changed the legal ownership of the official records of the President from private to public, and established a new statutory structure under which the President must manage their records.

Specifically, the Presidential Records Act:

Defines and states public ownership of the records.

Places the responsibility for the custody and management of incumbent Presidential records with the President.

Allows the incumbent President to dispose of records that no longer have administrative, historical, informational, or evidentiary value, once he has obtained the views of the Archivist of the United States on the proposed disposal.

Requires that the President and his staff take all practical steps to file personal records separately from Presidential records.

Establishes a process for restriction and public access to these records. Specifically, the PRA allows for public access to Presidential records through the Freedom of Information Act (United States), FOIA, beginning

five years after the end of the Administration, but allows the President to invoke as many as six specific restrictions to public access for up to 12 years. The PRA also establishes procedures for Congress, courts, and subsequent administrations to obtain special access to records that remain closed to the public, following a 30-day notice period to the former and current Presidents.

Requires that Vice-Presidential records are to be treated in the same way as Presidential records.

This bill is important. It was under the Bush administration that the e-mail controversy surfaced in 2007. During that controversy which involved the dismissal of eight U.S. attorneys, congressional requests for administration documents while investigating the dismissals of the U.S. attorneys required the Bush administration to reveal that not all internal White House e-mails were available, because they were sent via a non-government domain hosted on an e-mail server not controlled by the Federal Government. Conducting general government business in this manner possibly implicates the Presidential Records Act. The Bush administration e-mail controversy highlights the need for these amendments and for the bill.

I urge my colleagues to support this bill.

Mr. WAXMAN. Madam Speaker, I thank Representative TOWNS for bringing this bill to the floor. The outgoing Bush administration has an obsession with secrecy that has led it to weaken many of this country's open government laws. Our consideration of H.R. 35, the Presidential Records Act Amendments of 2009, is one important step toward undoing that damage. The bill revokes a Bush executive order, issued in November 2001, which gave broad new authority to Presidents and former Presidents to prevent the release of Presidential records. The order gave former Presidents the ability to pick and choose the records viewed by historians and to shape their legacy through the selective withholding of information.

Under the Presidential Records Act of 1978, these records belong to the American people, not to the president who created them. Today's legislation restores the original intent of the Act and will lead to greater openness and improved understanding of presidential decision-making.

This is not a partisan issue. Similar legislation was first introduced in 2001 by Rep. BURTON. And two years ago, I introduced H.R. 1255 with Reps. BURTON, TOWNS, and PLATTS. I thank them for working with me. The House passed that bill with a strong bipartisan majority. I urge all of my colleagues to support this bill today.

Mr. VAN HOLLEN. Madam Speaker, today, the House considers a bill that amends the Presidential Records Act. This important piece of bi-partisan legislation will help preserve open government, by reversing an executive order issued in the early days of the Bush administration that cut off access to Presidential records for historians and the American public.

Under that executive order, former Presidents and their heirs were given unprecedented authority to withhold or, indefinitely delay, access to documents from the public. And, for the first time, the order extended the authority to assert "executive privilege" to former Vice Presidents.



This legislation reverses that order by stating clearly that only current and former Presidents may assert "executive privilege." The bill also grants current Presidents discretion over whether to support a former President's assertion of privilege and places strict time limits for the current and former President to review records before they are released.

Mr. TOWNS. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. TOWNS) that the House suspend the rules and pass the bill, H.R. 35.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. TOWNS. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

#### PRESIDENTIAL LIBRARY DONATION REFORM ACT OF 2009

Mr. TOWNS. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 36) to amend title 44, United States Code, to require information on contributors to Presidential library fundraising organizations.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 36

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Presidential Library Donation Reform Act of 2009".

#### SEC. 2. PRESIDENTIAL LIBRARIES.

(a) IN GENERAL.—Section 2112 of title 44, United States Code, is amended by adding at the end the following new subsection:

"(h)(1) Any Presidential library fundraising organization shall submit on a quarterly basis, in accordance with paragraph (2), information with respect to every contributor who gave the organization a contribution or contributions (whether monetary or in-kind) totaling \$200 or more for the quarterly period.

"(2) For purposes of paragraph (1)—

"(A) the entities to which information shall be submitted under that paragraph are the Administration, the Committee on Oversight and Government Reform of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate;

"(B) the dates by which information shall be submitted under that paragraph are April 15, July 15, October 15, and January 15 of each year and of the following year (for the fourth quarterly filing);

"(C) the requirement to submit information under that paragraph shall continue until the later of the following occurs:

"(i) The Archivist has accepted, taken title to, or entered into an agreement to use any land or facility for the archival depository.

"(ii) The President whose archives are contained in the depository no longer holds the Office of President and a period of four years has expired (beginning on the date the President left the Office).

"(3) In this subsection:

"(A) The term 'Presidential library fundraising organization' means an organization that is established for the purpose of raising funds for creating, maintaining, expanding, or conducting activities at—

"(i) a Presidential archival depository; or

"(ii) any facilities relating to a Presidential archival depository.

"(B) The term 'information' means the following:

"(i) The amount or value of each contribution made by a contributor referred to in paragraph (1) in the quarter covered by the submission.

"(ii) The source of each such contribution, and the address of the entity or individual that is the source of the contribution.

"(iii) If the source of such a contribution is an individual, the occupation of the individual.

"(iv) The date of each such contribution.

"(4) The Archivist shall make available to the public through the Internet (or a successor technology readily available to the public) as soon as is practicable after each quarterly filing any information that is submitted under paragraph (1). The information shall be made available without a fee or other access charge, in a searchable, sortable, and downloadable database.

"(5)(A) It shall be unlawful for any person who makes a contribution described in paragraph (1) to knowingly and willfully submit false material information or omit material information with respect to the contribution to an organization described in such paragraph.

"(B) The penalties described in section 1001 of title 18, United States Code, shall apply with respect to a violation of subparagraph (A) in the same manner as a violation described in such section.

"(6)(A) It shall be unlawful for any Presidential library fundraising organization to knowingly and willfully submit false material information or omit material information under paragraph (1).

"(B) The penalties described in section 1001 of title 18, United States Code, shall apply with respect to a violation of subparagraph (A) in the same manner as a violation described in such section.

"(7)(A) It shall be unlawful for a person to knowingly and willfully—

"(i) make a contribution described in paragraph (1) in the name of another person;

"(ii) permit his or her name to be used to effect a contribution described in paragraph (1); or

"(iii) accept a contribution described in paragraph (1) that is made by one person in the name of another person.

"(B) The penalties set forth in section 309(d) of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g(d)) shall apply to a violation of subparagraph (A) in the same manner as if such violation were a violation of section 316(b)(3) of such Act (2 U.S.C. 441b(b)(3)).

"(8) The Archivist shall promulgate regulations for the purpose of carrying out this subsection."

(b) APPLICABILITY.—Section 2112(h) of title 44, United States Code (as added by subsection (a))—

(1) shall apply to an organization established for the purpose of raising funds for creating, maintaining, expanding, or conducting activities at a Presidential archival depository or any facilities relating to a Presidential archival depository before, on or after the date of the enactment of this Act; and

(2) shall only apply with respect to contributions (whether monetary or in-kind) made after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. TOWNS) and the gentleman from California (Mr. ISSA) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

#### GENERAL LEAVE

Mr. TOWNS. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. TOWNS. I yield myself as much time as I may consume.

Madam Speaker, H.R. 36, the Presidential Library Donation Reform Act, will require organizations raising money to build Presidential libraries and their affiliated institutions to disclose the identities of their donors and the amount of their donations. Like the records bill just considered, an identical version of this bill was considered in the 110th Congress and passed the House with strong bipartisan support.

Presidential libraries are becoming increasingly expensive, and fundraising for their construction begins during a President's term. These are broad campuses with museums, conference centers, and other institutions, some of which are entirely separate from the federally run libraries.

According to press reports, it cost more than \$80 million to build George H.W. Bush's library and \$165 million to build the Clinton library. Press reports have suggested that the fundraising target for President Bush's library is \$500 million.

Under current law, individuals, corporations and even foreign interests can make anonymous, unlimited donations to these organizations. Such donations can be made while the President is still in office. There is enormous potential for abuse in this system. Special interests could make multi-million dollar donations to a Presidential library foundation in an effort to influence the President, and the public would remain completely unaware.

In order to prevent real abuse, as well as the perception of abuse, H.R. 36 would require Presidential library foundations to divulge information about their donors while the President is in office and for the several years after the President's term has ended.

I again thank the ranking member, Mr. ISSA from California, for his cooperation on this bill and thank the previous chairman, Mr. WAXMAN, for his work in this as well.

Madam Speaker, I reserve the balance of my time.

Mr. ISSA. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I join with the chairman in recommending swift passage through the House for at least the third time. This bill has passed under

multiple authors, both Republican and Democrat. It is, by nature, one in which we believe we are appropriately asserting a daylight requirement on past and future Presidents and would certainly hope that we would view this bill as noncontroversial in most areas.

Madam Speaker, our Nation's Presidential libraries attract millions of visitors each year. They have become elaborate institutions, and the cost of building and maintaining these facilities has grown dramatically.

Under current law, Presidential libraries are built with private funds, then turned over to the Archivist for operation.

Amendments to the Presidential Libraries Act mandated the establishment of an endowment to cover some of the costs of operating the library, which are usually met through the establishment of a charitable organization.

Funding for construction and the endowment comes from private sources. But under current law, no duty to disclose the source of those contributions exists.

On both sides of the aisle, there is strong support for increasing disclosure.

Earlier, under Mr. DUNCAN's leadership, the House passed solid bipartisan legislation to require the disclosure of contributions to organizations that raise funds for Presidential libraries and related facilities. And a bill identical to the bill before us passed the House last year by a wide margin.

We recognize the perception of impropriety that contributions to a Presidential library can raise, given the huge sums that must be amassed, and the attraction this avenue may hold for those seeking favors or influence.

This legislation will provide a needed degree of transparency to that process.

If I may, I am going to yield 2 minutes to the gentleman from Texas (Mr. GOHMERT) for a particular portion of the bill that he feels, before it becomes law, should ultimately be looked at.

Mr. GOHMERT. Madam Speaker, I do appreciate my friend for yielding.

This is a good overall idea. It's a good bill in general. There needs to be more clarity. Many of us have wondered who is building these Presidential libraries, and this will help inform the public just who it is that's doing that.

The concern I have is that there is a provision in the bill for filing errors or omissions that could send somebody to prison for 5 years. Now as a former judge, I've presided over thousands and thousands of felony cases. I have sent I don't know how many people to prison. That's not a concern. My reputation was, as one criminal was overheard telling another, "He will give a fair trial, but if you're guilty, you don't want his court."

I don't have a problem sending people to prison, but one thing, probably the best conservative organization as far as getting out the message, the Heritage Foundation, and the ACLU have actually been in agreement on, this body, almost on whims, throws in a prison sentence as an added provision, and we are having people go to prison who shouldn't. If it is a dollar issue, then fine them 1 million, 10 million, whatever would be appropriate. But we

should not, in this body, continually subject people to being taken down in their home, handcuffed when they made an error that should not be criminalized.

So that is the concern I have. This never went through Judiciary. It has been through prior Congresses. It never went through Judiciary, the Crime Subcommittee, to look at that specific aspect. That is a concern, and it is something that we should not be doing, overcriminalizing provisions, by just sticking that in as an exclamation point. It needs to be well thought through before we provide a way to send somebody to prison.

I appreciate the time. I hope that could be taken out because that is an aspect that's inappropriate.

Mr. TOWNS. Madam Speaker, let me just say to the gentleman that I really share a lot of his views, and I'm willing to continue to work with him in seeing in terms of what we might be able to do to strengthen this legislation.

At this time, I yield 2 minutes to the gentleman from Missouri (Mr. CLAY).

□ 1045

Mr. CLAY. Madam Speaker, I thank the chairman for yielding.

As an original cosponsor of the Presidential Library Donation Act, I rise in strong support of H.R. 36, and I urge my colleagues to vote in favor of it.

Federal election law limits the amount a single source can give to a political campaign and requires that donations and donor information be disclosed to the public. These requirements help to preserve the integrity of our democratic system by ensuring that campaign donors do not exercise undue influence over elected policymakers.

Similar requirements do not apply to Presidential library fund-raising campaigns, and this creates the potential for large donors to exert, or appear to exert, improper influence over a sitting President.

The fact that private foundations are required to raise money to build and maintain Presidential libraries lowers the burden on taxpayers, but it also increases the incentive to pursue aggressive fund-raising for libraries that have become more and more expensive over the years.

Under H.R. 36, Presidential library foundations would be required to report on a quarterly basis all donations of \$200 or more. This requirement would apply to donations made to the foundation during the time that the President is in office and during the period before the Archives agrees to use the land or the facility.

In addition, the proposal calls on the Archivist to make all reports available to the public online through a searchable and downloadable database.

I commend Chairman TOWNS for his leadership in bringing this bill to the floor, and I urge all of my colleagues to support this important bipartisan bill.

Mr. ISSA. Madam Speaker, it's my pleasure now to yield up to 10 minutes

to the gentleman from Tennessee (Mr. DUNCAN), the author of the original bill substantially similar to the one today and a constant advocate for this type of transparency.

Mr. DUNCAN. Madam Speaker, first of all, I will say I thank the gentleman from California, the ranking member, Mr. ISSA, for yielding me the time, but I won't need nearly that much time.

I want to thank the gentleman from New York, Chairman TOWNS, for his support of this issue and this legislation and his effort to bring this bill to the floor as one of the first bills considered in the 111th Congress, and I also want to thank the gentleman from California (Mr. ISSA) for his support of this legislation.

I first introduced this bill in the 106th Congress after reading a front-page story in the Washington Times reporting that foreign governments from the Middle East were making large donations, very large donations, to the proposed library for President Clinton. I was concerned about the influence that donations by foreign governments and perhaps others could have since there was no policy requiring disclosure of donors.

The topic of disclosing contributions made by private donors to Presidential library fund-raising organizations is of great concern to me. These organizations are formed while a President is in office and collect donations from individuals, corporations and foreign governments, with no limit on the contribution amount, and especially when there's no requirement for disclosing the donor or the amounts being donated, there is great potential for abuse.

After I introduced this bill, sometime after I introduced this bill, I learned of the very sizable donations, hundreds of thousands of dollars, given to the Clinton library by Marc Rich's ex-wife, another close friend of the Clintons. Marc Rich, who fled the country after evading over \$40 million in Federal income taxes, was granted a pardon on President Clinton's last day in office.

However, this is not a partisan issue. I introduced and have supported this legislation under both Democratic and Republican Presidents, and as Mr. ISSA mentioned and Chairman TOWNS mentioned, it has passed overwhelmingly both times it was considered by the House previously.

Previous attempts to move this bill were met with little interest, I suppose, in the Senate, but perhaps this time around they will take up this issue.

This bill does not prohibit the contributions, including very large contributions. It simply requires Presidential library fund-raisers to disclose donations over \$200.

We're back once again, Madam Speaker, today, to try to pass this bill to provide some openness and transparency on the donations made to these organizations and on what could be the potential for abuse under a President of either party in the future.



The price to build these libraries, as Chairman TOWNS mentioned, has increased dramatically over the last few years from \$80 million to the \$200 to \$500 million estimated for the current President's library.

I think this bill promotes good government and is something that all of my colleagues should be proud to support. If we pass this legislation, it will certainly help to prevent the potential for serious abuse in the years ahead.

And like Chairman TOWNS, I will be glad to work with the gentleman from Texas (Mr. GOHMERT). I did not have that severe of a penalty in the first legislation that I originally worked on many years ago.

But once again, I want to thank all of my colleagues on both sides of the aisle for their support. This is a very bipartisan bill, and I urge its adoption by this Congress.

Mr. TOWNS. Madam Speaker, may I ask how many speakers does the minority have left.

Mr. ISSA. We have no further speakers at this time. If the gentleman's prepared to close, I will be brief.

Mr. TOWNS. I'm prepared to close.

Mr. ISSA. Madam Speaker, I yield myself such time as I may consume simply to say that I look forward to working with the chairman on any perfecting language here or in the Senate necessary to make this an even more acceptable bill to all Members because I believe that, as Mr. DUNCAN said, this is a bill whose time has come. We have been more than 6 years attempting to have this happen.

I think one thing that is very clear is that we could talk about library A, library B, library C, but as President Bush leaves office and that library is going to be built in Dallas, I think the American people will want to know every bit as much as with any previous President that that money was given by people who appreciated the legacy of that President and not by people who appreciated specific actions of that President in real-time.

And so I join with the majority and Mr. DUNCAN, as the original author of some time ago, in asking for quick passage of a bill, perfected as necessary in the work that I expect we will do together.

I yield back the balance of my time.

Mr. TOWNS. Madam Speaker, our President-elect has talked a lot about transparency. He's really interested in transparency. So improving transparency of donations to Presidential libraries, as this bill does, will assure the American people that their Presidents are not being influenced by unknown persons or groups.

Open government is an important goal of the Congress and the incoming administration, and I hope today's bill is just the right kind of bill to move forward with that in mind.

Let me say, Madam Speaker, this is a good piece of legislation, and I'm hoping that my colleagues join me in supporting this bill. I want to thank the

minority for their support, and of course, we will continue to look and see how we might be able to improve the legislation, but I really feel that this is a giant step in the right direction. Transparency is something that we cannot lose sight of.

Mr. WAXMAN. Madam Speaker, I thank Representative TOWNS for bringing this bill to the floor today. H.R. 36, the Presidential Library Donation Reform Act has a simple purpose. It requires that the organizations created to raise money for presidential libraries and their affiliated institutions disclose information about their donors.

The lack of any such requirement creates opportunities for abuse. Under current law, anybody can give to these organizations anonymously, even while the President is still in office. These donations could be used to influence presidential decision-making with no public disclosure.

This is not the first time this bill has come before the House. In 2001, Representative DUNCAN introduced similar legislation. I thank him for his early leadership on this issue. And in 2007, I introduced H.R. 1254 with Representatives DUNCAN, CLAY, PLATTS, and EMANUEL. That bill passed the House with an overwhelming majority in the last Congress. I urge my colleagues once again to support this straightforward legislation.

Mr. VAN HOLLEN. Madam Speaker, today, the House considers the Presidential Libraries Donation Reform Act. I was a cosponsor of this bill when it was originally introduced in 2007 and I am proud to stand in support of it today.

Under current law, a sitting president can accept private donations in unlimited amounts for the purpose of building a presidential library. There is no requirement that the donor's identity or the amount of the donation be disclosed. The potential for abuse here is obvious.

This bill requires presidential libraries fundraising organizations to disclose to Congress information about the donors and their donations during and immediately following the president's term in office.

The bill originally passed the House on suspension in March 2007, and returns to the House floor today after receiving strong support in the Senate.

I encourage my colleagues to join me in supporting this important piece of bipartisan legislation.

Ms. JACKSON-LEE of Texas. Madam Speaker, I thank Congressman TOWNS for attempting to bring greater transparency to presidential library fundraising efforts with H.R. 36, the "Presidential Library Donation Reform Act of 2009."

We are facing a new day, with a new administration, and a new Democratic majority. That is why it is important that we stay true to our core values of fairness, transparency, a accountability.

Starting with the lobbying and ethics reform, we as a body understand that a responsible government allows for openness. This legislation continues to rebuild our trust with the American people.

This legislation requires in part that, "any Presidential library fundraising organization shall submit on a quarterly basis with respect to every contributor who gave the organization a contribution or contributions (whether mone-

tary or in-kind) totaling \$200 or more for the quarterly period."

Under current law, private organizations established for the purpose of building a presidential library can raise unlimited amounts of money from undisclosed donors while the President remains in office. It takes nothing more than common sense to see the potential for abuse in this area and the need for basic reform.

Presidential libraries serve an important purpose as depositories of presidential papers and centers for historical research. In 1939, President Franklin Roosevelt came up with the idea of a privately-built, but federally maintained library to house his presidential papers.

This split of responsibilities between the public and the private sectors has continued and has since been codified into law. In 1955, the Presidential Libraries Act formally established a system under which federally maintained libraries would be built using funds raised by private organizations. More recent amendments have required these private organizations to provide an operating endowment to the National Archives in addition to the library building.

Just as the funding requirements have grown, so have the libraries and their affiliated institutions. Now these libraries are much more than basic research facilities. They include museums and conference centers along with other tourist attractions; they are getting more costly all the time.

The George H.W. Bush library was reported to cost more than \$80 million to build. The Clinton library and museum cost about \$165 million to build. News reports have indicated that the fundraising goal for President Bush's library is \$500 million—half a billion dollars—before this institution is completed.

The vast scale of these secret fundraising efforts creates opportunities for abuse. Donors who do not need to be identified can give unlimited amounts of money to support these libraries while the President remains in office.

This legislation would require that presidential libraries disclose the identity of their donors to Congress and the National Archives during their period of most intense fundraising, which is while the President is in office and in the several years after the end of his term.

This legislation is but one part of a larger effort by this Congress to restore honesty and accountability in the Federal Government.

#### CONCLUSION

Madam Speaker, I want to thank Chairman TOWNS and the Committee on Oversight and Government Reform for helping us build a strong foundation of trust with the American people. I ask my colleagues to support me in supporting H.R. 36.

Mr. TOWNS. On that note, Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. TOWNS) that the House suspend the rules and pass the bill, H.R. 36.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. TOWNS. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the

Chair's prior announcement, further proceedings on this motion will be postponed.

**ENSURING THAT THE COMPENSATION AND OTHER EMOLUMENTS ATTACHED TO THE OFFICE OF THE SECRETARY OF THE INTERIOR ARE THOSE WHICH WERE IN EFFECT ON JANUARY 1, 2005**

Mr. TOWNS. Madam Speaker, I move to suspend the rules and agree to the Senate joint resolution (S.J. Res. 3), ensuring that the compensation and other emoluments attached to the office of Secretary of the Interior are those which were in effect on January 1, 2005.

The Clerk read the title of the Senate joint resolution.

The text of the Senate joint resolution is as follows:

S.J. RES. 3

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. COMPENSATION AND OTHER EMOLUMENTS ATTACHED TO THE OFFICE OF SECRETARY OF THE INTERIOR.**

(a) IN GENERAL.—The compensation and other emoluments attached to the office of Secretary of the Interior shall be those in effect January 1, 2005, notwithstanding any increase in such compensation or emoluments after that date under any provision of law, or provision which has the force and effect of law, that is enacted or becomes effective during the period beginning at noon of January 3, 2005, and ending at noon of January 3, 2011.

(b) CIVIL ACTION AND APPEAL.—

(1) JURISDICTION.—Any person aggrieved by an action of the Secretary of the Interior may bring a civil action in the United States District Court for the District of Columbia to contest the constitutionality of the appointment and continuance in office of the Secretary of the Interior on the ground that such appointment and continuance in office is in violation of article I, section 6, clause 2, of the Constitution. The United States District Court for the District of Columbia shall have exclusive jurisdiction over such a civil action, without regard to the sum or value of the matter in controversy.

(2) THREE JUDGE PANEL.—Any claim challenging the constitutionality of the appointment and continuance in office of the Secretary of the Interior on the ground that such appointment and continuance in office is in violation of article I, section 6, clause 2, of the Constitution, in an action brought under paragraph (1) shall be heard and determined by a panel of three judges in accordance with section 2284 of title 28, United States Code. It shall be the duty of the district court to advance on the docket and to expedite the disposition of any matter brought under this subsection.

(3) APPEAL.—

(A) DIRECT APPEAL TO SUPREME COURT.—An appeal may be taken directly to the Supreme Court of the United States from any interlocutory or final judgment, decree, or order upon the validity of the appointment and continuance in office of the Secretary of the Interior under article I, section 6, clause 2, of the Constitution, entered in any action brought under this subsection. Any such appeal shall be taken by a notice of appeal filed within 20 days after such judgment, decree, or order is entered.

(B) JURISDICTION.—The Supreme Court shall, if it has not previously ruled on the

question presented by an appeal taken under subparagraph (A), accept jurisdiction over the appeal, advance the appeal on the docket, and expedite the appeal.

(c) EFFECTIVE DATE.—This joint resolution shall take effect at 12:00 p.m. on January 20, 2009.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. TOWNS) and the gentleman from California (Mr. ISSA) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

**GENERAL LEAVE**

Mr. TOWNS. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. TOWNS. I yield myself as much time as I may consume.

S.J. Res. 3 is a measure needed to ensure Senator SALAZAR of Colorado will be able to serve our country as the Secretary of the Interior during the Obama administration.

The Constitution provides that no Member of the House or Senate may be appointed to an office in the Federal Government for which the salary was raised during the Member's term. Fortunately, this does not prohibit the appointment of Senators or House Members to positions in the executive branch and will not prevent Senator SALAZAR from becoming Secretary of the Interior.

Numerous historical precedents and Justice Department interpretations hold that such appointments are, in fact, permissible so long as the salary is set at the level it was before the appointee's term began.

This long-standing practice dates back at least 100 years and is often referred to as the "Saxbe Fix," referring to the solution which set the salary for President Nixon's nominee for Attorney General, William Saxbe, so that it would reflect the salary level in place before his congressional term of office began.

Other Cabinet officials appointed under such arrangement include Secretary of State Edmund Muskie and Secretary of the Treasury Lloyd Bentsen. The House also passed a similar measure by unanimous consent just last December to ensure that Senator CLINTON may serve as Secretary of State.

This is a commonsense solution with ample precedent, which I urge all Members to support.

Madam Speaker, I reserve the balance of my time.

Mr. ISSA. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I am strongly in support of this resolution as necessary and appropriate. It is sort of interesting to have to bring a vote to give somebody less money and save the taxpayers money, but I'm pleased to do it

at any time, and hopefully we will find larger savings as the year goes on.

But I would like to comment on one thing. This is obviously something that we've agreed on beforehand and we look forward to quick passage, but I am committed here today, and would say on the floor with the chairman, to going back to committee to drafting a broader bill, one we would bring before the House within a few days that would cover Congresswoman HILDA SOLIS, former Congressman Ray LaHood, and other Members who are going to be in the same situation of having voted for the tax bill or been present for it and are going to be, in all likelihood, in the President's Cabinet. I believe that we should bring a piece of legislation that, on a blanket basis, says if you want to accept the job, you will accept the lower pay.

So, although I was pleased to be on the floor and participate in the UC, I am pleased to do this. I would hope that for judicial expedience that we would bring a single bill in the next coming weeks that would cover anyone who chooses in the first 2 years to be in the Obama administration, and I look forward to the savings that will come from those appointments.

I reserve the balance of my time.

Mr. TOWNS. Let me just say to the gentleman that he makes a very good point, and we will review it and see in terms of what we can do to be able to move things along. Also, I'm for saving. Any way we can save, let's do it.

S.J. Res. 3 sets the salary of the Secretary of the Interior to the level in effect on January 1, 2005, before the start of Senator SALAZAR's term, satisfying the constitutional requirements. I urge Members to support the resolution and, of course, look forward to working with my colleague in terms of being able to look at a broader kind of legislation to be able to deal with others who might be moving forward or going into the administration.

Madam Speaker, I don't have any other speakers, and I want to know if the minority has any other speakers.

Mr. ISSA. Madam Speaker, I have no other speakers and would yield back.

Mr. TOWNS. Madam Speaker, on that note, I ask my colleagues to be supportive of this legislation because, after all, I think that when we look at the service that is provided and what it is going to do in the days ahead, I think we should be supportive.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. TOWNS) that the House suspend the rules and agree to the Senate joint resolution, S.J. Res. 3.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the Senate joint resolution was agreed to.

A motion to reconsider was laid on the table.

## RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 11 a.m.), the House stood in recess subject to the call of the Chair.

□ 1200

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HOLDEN) at noon.

ANNOUNCEMENT BY THE SPEAKER  
PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 35, by the yeas and nays;

H.R. 36, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. The second electronic vote will be conducted as a 5-minute vote.

PRESIDENTIAL RECORDS ACT  
AMENDMENTS OF 2009

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 35, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. TOWNS) that the House suspend the rules and pass the bill, H.R. 35.

The vote was taken by electronic device, and there were—yeas 359, nays 58, not voting 12, as follows:

[Roll No. 5]

YEAS—359

Abercrombie	Boyd	Cleaver
Ackerman	Brady (PA)	Clyburn
Adler (NJ)	Brady (TX)	Coble
Alexander	Braley (IA)	Coffman (CO)
Altmire	Bright	Cohen
Andrews	Brown (SC)	Cole
Arcuri	Brown, Corrine	Connolly (VA)
Austria	Brown-Waite,	Conyers
Baca	Ginny	Cooper
Bachus	Buchanan	Costa
Baird	Burgess	Costello
Baldwin	Burton (IN)	Courtney
Barrow	Butterfield	Crenshaw
Bartlett	Buyer	Crowley
Bean	Calvert	Cuellar
Becerra	Camp	Culberson
Berkley	Cantor	Cummings
Berman	Cao	Dahlkemper
Berry	Capito	Davis (AL)
Biggert	Capps	Davis (CA)
Bilbray	Capuano	Davis (IL)
Bilirakis	Cardoza	Davis (TN)
Bishop (GA)	Carnahan	DeFazio
Bishop (NY)	Carney	DeGette
Bishop (UT)	Carson (IN)	Delahunt
Blunt	Castle	DeLauro
Bocieri	Castor (FL)	Dent
Bono Mack	Chandler	Diaz-Balart, L.
Boozman	Childers	Diaz-Balart, M.
Boren	Clarke	Dicks
Boswell	Clay	Dingell

Doggett	Levin	Ros-Lehtinen
Donnelly (IN)	Lewis (CA)	Roskam
Doyle	Lewis (GA)	Ross
Dreier	Lipinski	Rothman (NJ)
Driehaus	LoBiondo	Roybal-Allard
Duncan	Loebach	Royce
Edwards (MD)	Loggren, Zoe	Ruppersberger
Edwards (TX)	Lowey	Rush
Ehlers	Lucas	Ryan (OH)
Ellison	Luetkemeyer	Ryan (WI)
Ellsworth	Luján	Salazar
Emerson	Lummis	Sánchez, Linda
Engel	Lynch	T.
Eshoo	Maffei	Sanchez, Loretta
Etheridge	Maloney	Sarbanes
Farr	Marchant	Scalise
Fattah	Markey (CO)	Schakowsky
Filner	Markey (MA)	Schauer
Fortenberry	Marshall	Schiff
Foster	Massa	Schmidt
Frank (MA)	Matheson	Schock
Frelinghuysen	Matsui	Schrader
Fudge	McCarthy (CA)	Schwartz
Gerlach	McCarthy (NY)	Scott (GA)
Giffords	McCaul	Scott (VA)
Gillibrand	McClintock	Sensenbrenner
Gohmert	McCollum	Serrano
Gonzalez	McCotter	Sestak
Goodlatte	McDermott	Shea-Porter
Gordon (TN)	McGovern	Sherman
Grayson	McHugh	Shimkus
Green, Al	McIntyre	Shuler
Green, Gene	McMahon	Simpson
Griffith	McMorris	Sires
Grijalva	Rodgers	Skelton
Guthrie	McNerney	Slaughter
Hall (NY)	Meek (FL)	Smith (NE)
Halvorson	Meeks (NY)	Smith (NJ)
Hare	Melancon	Smith (WA)
Harman	Mica	Souder
Harper	Michaud	Space
Hastings (FL)	Miller (FL)	Speier
Heinrich	Miller (MI)	Spratt
Heller	Miller (NC)	Stark
Herger	Miller, George	Stearns
Higgins	Minnick	Stupak
Hill	Mitchell	Sullivan
Himes	Mollohan	Sutton
Hinchey	Moore (KS)	Tanner
Hinojosa	Moore (WI)	Tauscher
Hirono	Moran (KS)	Taylor
Hodes	Moran (VA)	Teague
Hoekstra	Murphy (CT)	Terry
Holden	Murphy, Patrick	Thompson (CA)
Holt	Murphy, Tim	Thompson (MS)
Honda	Murtha	Thompson (PA)
Hoyer	Napolitano	Tiahrt
Inslee	Neal (MA)	Tiberi
Israel	Nunes	Tierney
Issa	Nye	Titus
Jackson (IL)	Oberstar	Tonko
Jackson-Lee	Obey	Towns
(TX)	Oliver	Tsongas
Jenkins	Ortiz	Turner
Johnson (GA)	Pallone	Upton
Johnson (IL)	Pascarella	Van Hollen
Johnson, E. B.	Pastor (AZ)	Velázquez
Jones	Paul	Visclosky
Kagen	Paulsen	Walden
Kanjorski	Payne	Walz
Kaptur	Perlmutter	Wamp
Kennedy	Perriello	Wasserman
Kildee	Peters	Schultz
Kilpatrick (MI)	Peterson	Watson
Kilroy	Petri	Watt
Kirk	Pingree (ME)	Waxman
Kirkpatrick (AZ)	Platts	Weiner
Kissell	Polis (CO)	Welch
Klein (FL)	Pomeroy	Wexler
Kosmas	Posey	Whitfield
Kratovil	Price (NC)	Wilson (OH)
Kucinich	Putnam	Wilson (SC)
Lance	Radanovich	Wittman
Langevin	Rahall	Wolf
Larsen (WA)	Reichert	Woolsey
Larson (CT)	Reyes	Wu
Latham	Richardson	Yarmuth
LaTourette	Rodriguez	Young (AK)
Latta	Roe (TN)	Young (FL)
Lee (CA)	Rogers (KY)	
Lee (NY)	Rohrabacher	

NAYS—58

Aderholt	Boehner
Akin	Boustany
Bachmann	Brown (GA)
Barrett (SC)	Campbell
Barton (TX)	Carter
Blackburn	Cassidy

Chaffetz	Conaway
Davis (KY)	Deal (GA)
Fallin	Flake

Fleming	King (NY)	Pence
Forbes	Kingston	Pitts
Fox	Kline (MN)	Poe (TX)
Franks (AZ)	Lamborn	Price (GA)
Garrett (NJ)	Linder	Rehberg
Gingrey (GA)	Lungren, Daniel	Rogers (AL)
Granger	E.	Rooney
Hall (TX)	Mack	Sessions
Hensarling	Manzullo	Shadegg
Hunter	McHenry	Shuster
Inglis	McKeon	Smith (TX)
Johnson, Sam	Myrick	Thornberry
Jordan (OH)	Neugebauer	Westmoreland
King (IA)	Olson	

NOT VOTING—12

Blumenauer	Graves	Rangel
Bonner	Herseth Sandlin	Snyder
Boucher	Kind	Solis (CA)
Gallegly	Nadler (NY)	Waters

□ 1227

Messrs. BOEHNER, CASSIDY, REHBERG, and SMITH of Texas changed their vote from “yea” to “nay.”

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## SWEARING IN OF MEMBERS

The SPEAKER. Will the Representatives-elect please take their place in the well of the House and take the oath of office at this time.

The Representatives-elect appeared at the bar of the House and took the oath of office as follows:

Do you solemnly swear or affirm that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion; and that you will well and faithfully discharge the duties of the office on which you are about to enter, so help you God.

Congratulations. You are now Members of the 111th Congress.

## MOMENT OF SILENCE IN REMEMBRANCE OF MEMBERS OF ARMED FORCES AND THEIR FAMILIES

The SPEAKER. The Chair would ask all present to rise for the purpose of a moment of silence.

The Chair asks that the House now observe a moment of silence in remembrance of our brave men and women in uniform, who have given their lives in the service of our Nation in Iraq and in Afghanistan, and of their families and of all who serve in our Armed Forces and their families.

## ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. Under clause 5(d) of rule XX, the Chair announces to the House that the whole number of the House is now 433.

ANNOUNCEMENT BY THE SPEAKER  
PRO TEMPORE

The SPEAKER pro tempore (Mr. HOLDEN). Without objection, the 5-minute voting will continue.

There was no objection.

PRESIDENTIAL LIBRARY  
DONATION REFORM ACT OF 2009

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 36, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. TOWNS) that the House suspend the rules and pass the bill, H.R. 36.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 388, nays 31, not voting 31, as follows:

[Roll No. 6]

YEAS—388

Abercrombie	Chandler	Gonzalez
Ackerman	Childers	Goodlatte
Aderholt	Clarke	Gordon (TN)
Adler (NJ)	Clay	Granger
Alexander	Cleaver	Grayson
Altmire	Clyburn	Green, Al
Andrews	Coble	Green, Gene
Arcuri	Coffman (CO)	Griffith
Austria	Cohen	Grijalva
Baca	Cole	Guthrie
Bachmann	Connolly (VA)	Gutierrez
Bachus	Conyers	Hall (NY)
Baird	Cooper	Hall (TX)
Baldwin	Costa	Halvorson
Barrett (SC)	Costello	Hare
Barrow	Courtney	Harman
Bean	Crenshaw	Harper
Becerra	Crowley	Hastings (FL)
Berkley	Cuellar	Hastings (WA)
Berman	Culberson	Heinrich
Berry	Cummings	Heller
Biggart	Dahlkemper	Herger
Bilbray	Davis (AL)	Higgins
Bilirakis	Davis (CA)	Hill
Bishop (GA)	Davis (IL)	Himes
Bishop (NY)	Davis (TN)	Hinchee
Bishop (UT)	DeFazio	Hinojosa
Blackburn	DeGette	Hirono
Blumenauer	Delahunt	Hodes
Bocchieri	DeLauro	Holden
Boehner	Dent	Holt
Bono Mack	Diaz-Balart, L.	Honda
Boozman	Diaz-Balart, M.	Hoyer
Boren	Dicks	Hunter
Boswell	Dingell	Inglis
Boustany	Doggett	Inslee
Boyd	Donnelly (IN)	Israel
Brady (PA)	Doyle	Issa
Brady (TX)	Dreier	Jackson (IL)
Braley (IA)	Driehaus	Jackson-Lee
Bright	Duncan	(TX)
Brown (SC)	Edwards (MD)	Jenkins
Brown, Corrine	Edwards (TX)	Johnson (GA)
Brown-Waite,	Ehlers	Johnson (IL)
Ginny	Ellison	Johnson, E. B.
Buchanan	Ellsworth	Jones
Burton (IN)	Emerson	Jordan (OH)
Buyer	Engel	Kagen
Calvert	Eshoo	Kanjorski
Camp	Etheridge	Kaptur
Cantor	Fallin	Kennedy
Cao	Farr	Kildee
Capito	Fattah	Kilpatrick (MI)
Capps	Filner	Kilroy
Capuano	Fleming	Kind
Cardoza	Fortenberry	King (NY)
Carnahan	Foster	Kirk
Carney	Frank (MA)	Kirkpatrick (AZ)
Carson (IN)	Frelinghuysen	Kissell
Cassidy	Fudge	Klein (FL)
Castle	Gerlach	Kline (MN)
Castor (FL)	Giffords	Kosmas
Chaffetz	Gillibrand	Kratovil

Kucinich	Murphy, Tim	Serrano
Lance	Murtha	Sessions
Langevin	Napolitano	Sestak
Larsen (WA)	Neal (MA)	Shea-Porter
Larson (CT)	Neugebauer	Sherman
Latham	Nye	Shimkus
LaTourette	Oberstar	Shuler
Latta	Obey	Shuster
Lee (CA)	Olson	Simpson
Lee (NY)	Olver	Sires
Levin	Ortiz	Skelton
Lewis (CA)	Pallone	Slaughter
Lewis (GA)	Pascarell	Smith (NE)
Linder	Pastor (AZ)	Smith (NJ)
Lipinski	Paulsen	Smith (TX)
LoBiondo	Payne	Smith (WA)
Loeb sack	Pence	Souder
Lofgren, Zoe	Perlmutter	Space
Lowe y	Perriello	Speier
Lucas	Peters	Spratt
Luetkemeyer	Peterson	Stark
Luján	Petri	Stearns
Lungren, Daniel	Pingree (ME)	Stupak
E.	Pitts	Sullivan
Lynch	Platts	Sutton
Mack	Polis (CO)	Tanner
Maffei	Pomeroy	Tauscher
Maloney	Posey	Taylor
Manzullo	Price (GA)	Teague
Marchant	Price (NC)	Terry
Markey (CO)	Putnam	Thompson (CA)
Markey (MA)	Radanovich	Thompson (MS)
Marshall	Rahall	Thompson (PA)
Massa	Rangel	Thornberry
Matheson	Rehberg	Tiahrt
Matsui	Reichert	Tiberi
McCarthy (CA)	Reyes	Tierney
McCarthy (NY)	Richardson	Titus
McCaul	Rodriguez	Tonko
McClintock	Roe (TN)	Towns
McCollum	Rogers (KY)	Tsongas
McCotter	Rogers (MI)	Turner
McDermott	Rohrabacher	Upton
McGovern	Rooney	Van Hollen
McHugh	Ros-Lehtinen	Velázquez
McIntyre	Roskam	Visclosky
McKeon	Ross	Walden
McMahon	Rothman (NJ)	Walz
McMorris	Roybal-Allard	Wamp
Rodgers	Royce	Wasserman
McNerney	Ruppersberger	Schultz
Meek (FL)	Rush	Watson
Meeks (NY)	Ryan (OH)	Watt
Melancon	Ryan (WI)	Waxman
Mica	Sánchez, Linda	Weiner
Michaud	T.	Welch
Miller (FL)	Sanchez, Loretta	Wexler
Miller (MI)	Sarbanes	Whitfield
Miller (NC)	Scalise	Wilson (OH)
Miller, George	Schakowsky	Wilson (SC)
Minnick	Schauer	Wittman
Mitchell	Schiff	Wolf
Mollohan	Schmidt	Woolsey
Moore (KS)	Schock	Wu
Moore (WI)	Schrader	Yarmuth
Moran (KS)	Schwartz	Young (AK)
Moran (VA)	Scott (GA)	Young (FL)
Murphy (CT)	Scott (VA)	
Murphy, Patrick	Sensenbrenner	

NAYS—31

Akin	Forbes	Lamborn
Bartlett	Foxx	Lummis
Barton (TX)	Franks (AZ)	McHenry
Broun (GA)	Garrett (NJ)	Myrick
Burgess	Gingrey (GA)	Paul
Campbell	Gohmert	Poe (TX)
Carter	Hensarling	Rogers (AL)
Conaway	Hoekstra	Shadegg
Davis (KY)	Johnson, Sam	Westmoreland
Deal (GA)	King (IA)	
Flake	Kingston	

NOT VOTING—13

Blunt	Graves	Snyder
Bonner	Herseth Sandlin	Solis (CA)
Boucher	Nadler (NY)	Waters
Butterfield	Nunes	
Galgely	Salazar	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Two minutes remain in this vote.

□ 1241

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. NUNES. Mr. Speaker, on rollcall No. 6, I was unavoidably detained. Had I been present, I would have voted "yea."

PROVIDING FOR ATTENDANCE AT  
INAUGURAL CEREMONIES ON  
JANUARY 20, 2009

Mr. HOYER. Madam Speaker, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 23

*Resolved*, That at 10:30 a.m. on Tuesday, January 20, 2009, the House shall proceed to the West Front of the Capitol for the purpose of attending the inaugural ceremonies of the President and Vice President of the United States; and that upon the conclusion of the ceremonies the House stands adjourned until 10 a.m. on Wednesday, January 21, 2009.

The resolution was agreed to.

A motion to reconsider was laid on the table.

## LEGISLATIVE PROGRAM

(Mr. HOYER asked and was given permission to address the House for 1 minute.)

Mr. HOYER. Madam Speaker, there will be no votes for the balance of the day, and there will be no votes tomorrow.

There will be a joint session tomorrow. We will meet for the counting and for the report of the electoral college votes of the November 4 election.

There will be votes on Friday, and I will be trying to get you additional information on the calendar for Friday. Clearly there will be at least two bills on the floor—there may be others—the Pay Equity bill that already passed the House last year, and the so-called Ledbetter bill are two items that have been currently already noticed, but there may be other items that we're working in conjunction with the minority on whether or not we can move those forward.

But I wanted to let Members know that there would be no further votes today that we contemplate no votes tomorrow. But there will be votes on Friday.

□ 1245

## SPECIAL ORDERS

The SPEAKER pro tempore (Ms. JACKSON-LEE of Texas). Under the Speaker's announced policy of January 6, 2009, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

**PUBLICATION OF THE RULES OF  
THE COMMITTEE ON RULES,  
111TH CONGRESS**

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from New York (Ms. SLAUGHTER) is recognized for 5 minutes.

Ms. SLAUGHTER. Madam Speaker, pursuant to clause 2 of rule XI of the Rules of the House, on January 7, 2009 the Committee on Rules adopted by voice vote, a quorum being present, the following rules:

**RULES OF THE COMMITTEE ON RULES**

U.S. House of Representatives

Rules for the 111th Congress

**RULE 1—GENERAL PROVISIONS**

(a) The Rules of the House are the rules of the Committee and its subcommittees so far as applicable, except that a motion to recess from day to day, and a motion to dispense with the first reading (in full) of a bill or resolution, if printed copies are available, are non-debatable privileged motions in the Committee. A proposed investigative or oversight report shall be considered as read if it has been available to the members of the Committee for at least 24 hours (excluding Saturdays, Sundays, or legal holidays except when the House is in session on such day).

(b) Each subcommittee is a part of the Committee, and is subject to the authority and direction of the Committee and to its rules so far as applicable.

(c) The provisions of clause 2 of rule XI of the Rules of the House are incorporated by reference as the rules of the Committee to the extent applicable.

(d) The Committee's rules shall be published in the Congressional Record not later than 30 days after the Committee is elected in each odd-numbered year.

**RULE 2—REGULAR, ADDITIONAL, AND SPECIAL  
MEETINGS**

**REGULAR MEETINGS**

(a)(1) The Committee shall regularly meet at 10:00 a.m. on Tuesday of each week when the House is in session.

(2) A regular meeting of the Committee may be dispensed with if, in the judgment of the Chairman of the Committee (hereafter in these rules referred to as the "Chair"), there is no need for the meeting.

(3) Additional regular meetings and hearings of the Committee may be called by the Chair.

**NOTICE FOR REGULAR MEETINGS**

(b) The Chair shall notify in electronic or written form each member of the Committee of the agenda of each regular meeting of the Committee at least 48 hours before the time of the meeting and shall provide to each member of the Committee, at least 24 hours before the time of each regular meeting:

(1) for each bill or resolution scheduled on the agenda for consideration of a rule, a copy of—

- (A) the bill or resolution;
- (B) any committee reports thereon; and
- (C) any letter requesting a rule for the bill or resolution; and

(2) for each other bill, resolution, report, or other matter on the agenda a copy of—

(A) the bill, resolution, report, or materials relating to the other matter in question; and

(B) any report on the bill, resolution, report, or any other matter made by any subcommittee of the Committee.

**EMERGENCY MEETINGS**

(c)(1) The Chair may call an emergency meeting of the Committee at any time on any measure or matter which the Chair determines to be of an emergency nature; pro-

vided, however, that the Chair has made an effort to consult the ranking minority member, or, in such member's absence, the next ranking minority party member of the Committee.

(2) As soon as possible after calling an emergency meeting of the Committee, the Chair shall notify each member of the Committee of the time and location of the meeting.

(3) To the extent feasible, the notice provided under paragraph (2) shall include the agenda for the emergency meeting and copies of available materials which would otherwise have been provided under subsection (b) if the emergency meeting was a regular meeting.

**SPECIAL MEETINGS**

(d) Special meetings shall be called and convened as provided in clause 2(c)(2) of rule XI of the Rules of the House.

**RULE 3—MEETING AND HEARING PROCEDURES**

**IN GENERAL**

(a)(1) Meetings and hearings of the Committee shall be called to order and presided over by the Chair or, in the Chair's absence, by the member designated by the Chair as the Vice Chair of the Committee, or by the ranking majority member of the Committee present as Acting Chair.

(2) Meetings and hearings of the Committee shall be open to the public unless closed in accordance with clause 2(g) of rule XI of the Rules of the House of Representatives.

(3) Any meeting or hearing of the Committee that is open to the public shall be open to coverage by television, radio, and still photography in accordance with the provisions of clause 4 of rule XI of the Rules of the House (which are incorporated by reference as part of these rules).

(4) When a recommendation is made as to the kind of rule which should be granted for consideration of a bill or resolution, a copy of the language recommended shall be furnished to each member of the Committee at the beginning of the Committee meeting at which the rule is to be considered or as soon thereafter as the proposed language becomes available.

**QUORUM**

(b)(1) For the purpose of hearing testimony on requests for rules, five members of the Committee shall constitute a quorum.

(2) For the purpose of taking testimony and receiving evidence on measures or matters of original jurisdiction before the Committee, three members of the Committee shall constitute a quorum.

(3) A majority of the members of the Committee shall constitute a quorum for the purposes of reporting any measure or matter, of authorizing a subpoena, of closing a meeting or hearing pursuant to clause 2(g) of rule XI of the Rules of the House (except as provided in clause 2(g)(2)(A) and (B)), or of taking any other action.

**VOTING**

(c)(1) No vote may be conducted on any measure or motion pending before the Committee unless a majority of the members of the Committee is actually present for such purpose.

(2) A record vote of the Committee shall be provided on any question before the Committee upon the request of any member.

(3) No vote by any member of the Committee on any measure or matter may be cast by proxy.

(4) A record of the vote of each Member of the Committee on each record vote on any matter before the Committee shall be available for public inspection at the offices of the Committee, and with respect to any

record vote on any motion to amend or report, shall be included in the report of the Committee showing the total number of votes cast for and against and the names of those members voting for and against.

**HEARING PROCEDURES**

(d)(1) With regard to hearings on matters of original jurisdiction, to the greatest extent practicable:

(A) each witness who is to appear before the Committee shall file with the Committee at least 24 hours in advance of the appearance a statement of proposed testimony in written and electronic form and shall limit the oral presentation to the Committee to a brief summary thereof; and

(B) each witness appearing in a non-governmental capacity shall include with the statement of proposed testimony provided in written and electronic form a curriculum vitae and a disclosure of the amount and source (by agency and program) of any Federal grant (or subgrant thereof) or contract (or subcontract thereof) received during the current fiscal year or either of the two preceding fiscal years.

(2) The five-minute rule shall be observed in the interrogation of each witness before the Committee until each member of the Committee has had an opportunity to question the witness.

(3) The provisions of clause 2(k) of rule XI of the Rules of the House shall apply to any hearing conducted by the Committee.

**SUBPOENAS AND OATHS**

(e)(1) Pursuant to clause 2(m) of rule XI of the Rules of the House of Representatives, a subpoena may be authorized and issued by the Committee or a subcommittee in the conduct of any investigation or series of investigations or activities, only when authorized by a majority of the members voting, a majority being present.

(2) The Chair may authorize and issue subpoenas under such clause during any period in which the House has adjourned for a period of longer than three days.

(3) Authorized subpoenas shall be signed by the Chair or by any member designated by the Committee, and may be served by any person designated by the Chair or such member.

(4) The Chair, or any member of the Committee designated by the Chair, may administer oaths to witnesses before the Committee.

**RULE 4—GENERAL OVERSIGHT  
RESPONSIBILITIES**

(a) The Committee shall review and study, on a continuing basis, the application, administration, execution, and effectiveness of those laws, or parts of laws, the subject matter of which is within its jurisdiction.

(b) Not later than February 15 of the first session of a Congress, the Committee shall meet in open session, with a quorum present, to adopt its oversight plans for that Congress for submission to the Committee on House Administration and the Committee on Oversight and Government Reform, in accordance with the provisions of clause 2(d) of House rule X.

**RULE 5—SUBCOMMITTEES**

**ESTABLISHMENT AND RESPONSIBILITIES OF  
SUBCOMMITTEES**

(a)(1) There shall be two subcommittees of the Committee as follows:

(A) Subcommittee on Legislative and Budget Process, which shall have general responsibility for measures or matters related to relations between the Congress and the Executive Branch.

(B) Subcommittee on Rules and Organization of the House, which shall have general responsibility for measures or matters related to process and procedures of the House,

relations between the two Houses of Congress, relations between the Congress and the Judiciary, and internal operations of the House.

(2) In addition, each such subcommittee shall have specific responsibility for such other measures or matters as the Chair refers to it.

(3) Each subcommittee of the Committee shall review and study, on a continuing basis, the application, administration, execution, and effectiveness of those laws, or parts of laws, the subject matter of which is within its general responsibility.

#### REFERRAL OF MEASURES AND MATTERS TO SUBCOMMITTEES

(b)(1) In view of the unique procedural responsibilities of the Committee, no special order providing for the consideration of any bill or resolution shall be referred to a subcommittee of the Committee.

(2) The Chair shall refer to a subcommittee such measures or matters of original jurisdiction as the Chair deems appropriate given its jurisdiction and responsibilities.

(3) All other measures or matters of original jurisdiction shall be subject to consideration by the full Committee.

(4) In referring any measure or matter of original jurisdiction to a subcommittee, the Chair may specify a date by which the subcommittee shall report thereon to the Committee.

(5) The Committee by motion may discharge a subcommittee from consideration of any measure or matter referred to a subcommittee of the Committee.

#### COMPOSITION OF SUBCOMMITTEES

(c) The size and ratio of each subcommittee shall be determined by the Committee and members shall be elected to each subcommittee, and to the positions of chairman and ranking minority member thereof, in accordance with the rules of the respective party caucuses. The Chair of the full Committee shall designate a member of the majority party on each subcommittee as its vice chairman.

#### SUBCOMMITTEE MEETINGS AND HEARINGS

(d)(1) Each subcommittee of the Committee is authorized to meet, hold hearings, receive testimony, mark up legislation, and report to the full Committee on any measure or matter referred to it.

(2) No subcommittee of the Committee may meet or hold a hearing at the same time as a meeting or hearing of the full Committee is being held.

(3) The chairman of each subcommittee shall schedule meetings and hearings of the subcommittee only after consultation with the Chair.

#### QUORUM

(e)(1) For the purpose of taking testimony, two members of the subcommittee shall constitute a quorum.

(2) For all other purposes, a quorum shall consist of a majority of the members of a subcommittee.

#### EFFECT OF A VACANCY

(f) Any vacancy in the membership of a subcommittee shall not affect the power of the remaining members to execute the functions of the subcommittee.

#### RECORDS

(g) Each subcommittee of the Committee shall provide the full Committee with copies of such records of votes taken in the subcommittee and such other records with respect to the subcommittee necessary for the Committee to comply with all rules and regulations of the House.

#### RULE 6—STAFF

##### IN GENERAL

(a)(1) Except as provided in paragraphs (2) and (3), the professional and other staff of

the Committee shall be appointed, by the Chair, and shall work under the general supervision and direction of the Chair.

(2) All professional, and other staff provided to the minority party members of the Committee shall be appointed, by the ranking minority member of the Committee, and shall work under the general supervision and direction of such member.

(3) The appointment of all professional staff shall be subject to the approval of the Committee as provided by, and subject to the provisions of, clause 9 of rule X of the Rules of the House.

#### ASSOCIATE STAFF

(b) Associate staff for members of the Committee may be appointed only at the discretion of the Chair (in consultation with the ranking minority member regarding any minority party associate staff), after taking into account any staff ceilings and budgetary constraints in effect at the time, and any terms, limits, or conditions established by the Committee on House Administration under clause 9 of rule X of the Rules of the House.

#### SUBCOMMITTEE STAFF

(c) From funds made available for the appointment of staff, the Chair of the Committee shall, pursuant to clause 6(d) of rule X of the Rules of the House, ensure that sufficient staff is made available to each subcommittee to carry out its responsibilities under the rules of the Committee, and, after consultation with the ranking minority member of the Committee, that the minority party of the Committee is treated fairly in the appointment of such staff.

#### COMPENSATION OF STAFF

(d) The Chair shall fix the compensation of all professional and other staff of the Committee, after consultation with the ranking minority member regarding any minority party staff.

#### CERTIFICATION OF STAFF

(e)(1) To the extent any staff member of the Committee or any of its subcommittees does not work under the direct supervision and direction of the Chair, the Member of the Committee who supervises and directs the staff member's work shall file with the Chief of Staff of the Committee (not later than the tenth day of each month) a certification regarding the staff member's work for that member for the preceding calendar month.

(2) The certification required by paragraph (1) shall be in such form as the Chair may prescribe, shall identify each staff member by name, and shall state that the work engaged in by the staff member and the duties assigned to the staff member for the member of the Committee with respect to the month in question met the requirements of clause 9 of rule X of the Rules of the House.

(3) Any certification of staff of the Committee, or any of its subcommittees, made by the Chair in compliance with any provision of law or regulation shall be made—

(A) on the basis of the certifications filed under paragraph (1) to the extent the staff is not under the Chair's supervision and direction, and

(B) on his own responsibility to the extent the staff is under the Chair's direct supervision and direction.

#### RULE 7—BUDGET, TRAVEL, PAY OF WITNESSES

##### BUDGET

(a) The Chair, in consultation with other members of the Committee, shall prepare for each Congress a budget providing amounts for staff, necessary travel, investigation, and other expenses of the Committee and its subcommittees.

##### TRAVEL

(b)(1) The Chair may authorize travel for any member and any staff member of the

Committee in connection with activities or subject matters under the general jurisdiction of the Committee. Before such authorization is granted, there shall be submitted to the Chair in writing the following:

(A) The purpose of the travel.

(B) The dates during which the travel is to occur.

(C) The names of the States or countries to be visited and the length of time to be spent in each.

(D) The names of members and staff of the Committee for whom the authorization is sought.

(2) Members and staff of the Committee shall make a written report to the Chair on any travel they have conducted under this subsection, including a description of their itinerary, expenses, and activities, and of pertinent information gained as a result of such travel.

(3) Members and staff of the Committee performing authorized travel on official business shall be governed by applicable laws, resolutions, and regulations of the House and of the Committee on House Administration.

#### PAY OF WITNESSES

(c) Witnesses may be paid from funds made available to the Committee in its expense resolution subject to the provisions of clause 5 of rule XI of the Rules of the House.

#### RULE 8—COMMITTEE ADMINISTRATION

##### REPORTING

(a) Whenever the Committee authorizes the favorable reporting of a bill or resolution from the Committee—

(1) the Chair or acting Chair shall report it to the House or designate a member of the Committee to do so, and

(2) in the case of a bill or resolution in which the Committee has original jurisdiction, the Chair shall allow, to the extent that the anticipated floor schedule permits, any member of the Committee a reasonable amount of time to submit views for inclusion in the Committee report on the bill or resolution.

Any such report shall contain all matters required by the Rules of the House of Representatives (or by any provision of law enacted as an exercise of the rulemaking power of the House) and such other information as the Chair deems appropriate.

##### RECORDS

(b)(1) There shall be a transcript made of each regular meeting and hearing of the Committee, and the transcript may be printed if the Chair decides it is appropriate or if a majority of the Members of the Committee requests such printing. Any such transcripts shall be a substantially verbatim account of remarks actually made during the proceedings, subject only to technical, grammatical, and typographical corrections authorized by the person making the remarks. Nothing in this paragraph shall be construed to require that all such transcripts be subject to correction and publication.

(2) The Committee shall keep a record of all actions of the Committee and of its subcommittees. The record shall contain all information required by clause 2(e)(1) of rule XI of the Rules of the House of Representatives and shall be available for public inspection at reasonable times in the offices of the Committee.

(3) All Committee hearings, records, data, charts, and files shall be kept separate and distinct from the congressional office records of the Chair, shall be the property of the House, and all Members of the House shall have access thereto as provided in clause 2(e)(2) of rule XI of the Rules of the House.

(4) The records of the Committee at the National Archives and Records Administration shall be made available for public use in



accordance with rule VII of the Rules of the House. The Chair shall notify the ranking minority member of any decision, pursuant to clause 3(b)(3) or clause 4(b) of the rule, to withhold a record otherwise available, and the matter shall be presented to the Committee for a determination on written request of any member of the Committee.

#### COMMITTEE PUBLICATIONS ON THE INTERNET

(c) To the maximum extent feasible, the Committee shall make its publications available in electronic form.

#### CALENDARS

(d)(1) The Committee shall maintain a Committee Calendar, which shall include all bills, resolutions, and other matters referred to or reported by the Committee and all bills, resolutions, and other matters reported by any other committee on which a rule has been granted or formally requested, and such other matters as the Chair shall direct. The Calendar shall be published periodically, but in no case less often than once in each session of Congress.

(2) The staff of the Committee shall furnish each member of the Committee with a list of all bills or resolutions (A) reported from the Committee but not yet considered by the House, and (B) on which a rule has been formally requested but not yet granted. The list shall be updated each week when the House is in session.

(3) For purposes of paragraphs (1) and (2), a rule is considered as formally requested when the Chairman of a committee which has reported a bill or resolution (or a member of such committee authorized to act on the Chairman's behalf):

(A) has requested, in writing to the Chair, that a hearing be scheduled on a rule for the consideration of the bill or resolution, and

(B) has supplied the Committee with an adequate number of copies of the bill or resolution, as reported, together with the final printed committee report thereon.

#### OTHER PROCEDURES

(e) The Chair may establish such other Committee procedures and take such actions as may be necessary to carry out these rules or to facilitate the effective operation of the Committee and its subcommittees in a manner consistent with these rules.

#### RULE 9—AMENDMENTS TO COMMITTEE RULES

The rules of the Committee may be modified, amended or repealed, in the same manner and method as prescribed for the adoption of committee rules in clause 2 of rule XI of the Rules of the House, but only if written notice of the proposed change has been provided to each such Member at least 48 hours before the time of the meeting at which the vote on the change occurs. Any such change in the rules of the Committee shall be published in the Congressional Record within 30 calendar days after their approval.

#### HAMAS—A HISTORY OF HATE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

Mr. POE of Texas. Madam Speaker, Israel and Hamas are fighting each other in the Gaza Strip. The question is, what is this fighting all about?

For centuries, the Jews and Muslims have fought over a strip of land in what we call the Holy Land called the Gaza Strip. It's a territorial dispute, but it's also a conflict of a religious nature.

The Gaza Strip is a tiny sliver of land about two times the size of Wash-

ington, D.C., with a population of about 1.5 million people. It is bordered by the State of Israel on three sides and the Mediterranean Sea to the West.

The modern war between Israel and the Palestinians began after Israel became a sovereign nation in 1948, after the end of World War II. After the Egyptian invasion of Israel in May of 1948 and the subsequent occupation of the Gaza Strip, large groups of Palestinian refugees began to arrive and live in Gaza.

In the last half of the 20th century, territorial control bounced back and forth between Israel and its Muslim neighboring countries. In the 1990s, Israel transferred security and civilian responsibility for the Palestinian-populated areas of Gaza to the Palestinian Authority. After that transfer, Palestinians elected Yasser Arafat to be their leader, a person who was by no means pro-Israel, but a leader at the very least who worked for peace between Israel and Palestine.

In September 2005, Israel unilaterally withdrew all of its settlers and soldiers and dismantled its military facilities in the Gaza Strip on the condition that the Palestinian terrorist groups, like Hamas, would stop terrorizing innocent civilians in Israel near the Gaza border, but that did not happen. Hamas continued its relentless attacks against the Jews, causing an escalation of tension in that region.

Then in January of 2006, the people of Palestine elected Hamas to head the Palestine Legislative Council. The international community did not accept the Hamas-led government because it refused to renounce violence, refused to recognize the State of Israel, and refused to honor previous peace agreements between Israel and the Palestinian Authority.

After a series of infighting between Hamas and more moderate Palestinians, Hamas militants succeeded in a violent takeover of all the military and government institutions in the Gaza Strip.

So since 2000, Hamas terrorists have targeted over 1 million Israeli civilians in Gaza and Israel literally firing thousands of rockets, missiles and mortar shells into Israel. In just the past 10 days, Hamas has fired more than 500 rockets at innocent Israeli civilians, and there is no end in sight.

The anti-Semitic hate speech propagated by Hamas leaders is no figment of anyone's imagination. It is real. It's enticing an entire generation of young people to become terrorists, all in the name of religion. Even our State Department has designated Hamas as a foreign terrorist organization for as long as that list has existed.

But we don't have to take our own government's word for it. In 2005, a Hamas leader in Gaza told the media that, "Neither the liberation of the Gaza Strip nor the liberation of the West Bank or even Jerusalem will suffice us. Hamas will pursue the armed

struggle until the liberation of all our lands. We don't recognize the State of Israel or its right to hold onto one inch of Palestine. Palestine is an Islamic land belonging to all the Muslims."

Later in 2006, another leader said, "Israel is not a legitimate entity, and no amount of pressure can force us to recognize its right to exist. Israel must be humiliated and degraded."

These are not the words of a people who desire peace and reconciliation. These are the words of a people who blatantly call for the complete destruction of Israel and will not stop at anything until that happens.

What's worse, Hamas doesn't care what it takes to make this happen, even if that means killing its own people.

Since the fighting began, Israel has allowed over 200 truckloads of food and medicine to enter Gaza, even under shellfire. Just today, Israel agreed to cease its ground operations for 3 hours every day so that humanitarian supplies can be taken into Gaza.

But meanwhile, Hamas is not only preventing its own wounded civilians from crossing into Egypt to receive medical treatment, but they're stealing medicine and supplies meant for civilians and using them for their wounded terrorists.

What makes Hamas even more inhumane is their willingness to put their own people in harm's way. Time and time again, Hamas has intentionally launched missiles into school yards and residential areas, putting Palestinians at risk, daring Israel to try and come after them, even hoping for Palestinian civilian lives to be lost in these attacks.

It's time for the rest of the world to stand in solidarity with Israel in its fight against terrorism and demand that Hamas immediately end its rocket fire attacks on Israel and stop smuggling through tunnels between Egypt and Gaza. However, Hamas says it will never end their war against Israel until Israel ceases to exist.

In the face of such hate, Madam Speaker, Israel is left with no other choice but to defend its people and its sovereign territory from these murderous terrorists.

And that's just the way it is.

#### NEW CONGRESS, REAL COMMITMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

Ms. KAPTUR. Madam Speaker, the wonderful opportunity of a new Congress is that it is not bound by the mistakes of the past.

As foreclosure rates rise in Ohio and across our Nation, it's pretty obvious that the Federal responses are not working on Main Street, whether it's the \$700 billion Wall Street bailout or the \$300 billion FHA loan workout program.

Citigroup, for example, was one of the big culprits that caused the financial meltdown; yet, they got paid \$25 billion from the public Treasury. But Ohio, where foreclosures are raging, got nothing. Instead, out-of-State megabanks are buying up Ohio banks, while more Ohio homeowners get boot-ed out of their homes.

Last year, in my home County of Lucas, another 4,100 homes were foreclosed. That's a minimum of 10,000, 10,000 more people who were not helped by Treasury's failed TARP program. Ohio's families alone need \$20 billion to stop the real estate hemorrhage which is less than what Citibank received, and would go to real people, not ersatz and paper trades on Wall Street.

In Toledo, Ohio, you can now buy a home for \$4,500, but last fall, rather than local homeowners being refinanced in this Wall Street bailout bill, one California investor figured it out. He bought 137 foreclosed properties in Toledo at auction, an auction sponsored by the very Wall Street banks that caused the trouble in the first place. Houses are being auctioned at prices so low we could have put the original occupants back in. Even cities would be able to bid on these homes on behalf of their local homeowners, their property owners, but they've not yet received any funds from the \$4 billion neighborhood stabilization program that we were told was supposed to keep local neighborhoods whole.

But the Wall Street banks are cleaning up. They get the bailout money. They don't have to manage those properties. They auction them to outsiders and then they're just waiting for their taxes to be filed for 2008 at the IRS to get all those losses booked and get more back from the people of the United States.

Something is very wrong and unco-ordinated with the manner in which the Federal Government is allowing equity to be bled from local homeowners and from our communities at large and awarded to Wall Street whole.

Wall Street banks that hold or sell mortgages on these foreclosed properties are not managing their property holdings. These holdings are then frequently stripped of copper, electrical wiring and other materials, further devaluing adjacent properties and decimating entire neighborhoods.

The \$300 billion FHA program designed to help modify troubled mortgage loans is as ineffective as the Wall Street bailout. The program has received fewer than 200 applications nationwide since taking effect October 1 and not a single loan has been modified.

A bank's receipt of TARP funds should be conditioned on them lending money and engaging in mortgage work-outs to ensure the program at least starts to work somewhat. Many banks and servicers are still reluctant to structure manageable workouts with their customers. Among them are JP Morgan Chase, Wells Fargo and

Wilshire, who have received \$65 billion among them in Treasury funds.

What's fair about that? May the 111th Congress pass more than just hollow legislation. Let's pass a measure worthy of the oath we took yesterday to protect our Republic from all enemies, foreign and domestic.

Jesse James robbed banks because he said that's where the money is. Well, Wall Street just robbed the biggest bank of them all, the public Treasury. It's time for Congress to blink and do what's right in the 111th Congress of the United States.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

(Mr. JONES addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

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#### HONORING THE LIFE OF FORMER SENATOR CLAIBORNE PELL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Rhode Island (Mr. KENNEDY) is recognized for 5 minutes.

Mr. KENNEDY. Today, Madam Speaker, I join my colleague Congressman LANGEVIN in this tribute to Senator Pell, the great statesman from Rhode Island. His name is well-known throughout this country, associated most notably with the Pell Grant, the grant that allows millions of young people in this country opportunity to get a higher education.

But Madam Speaker, we wanted to pay tribute to Senator Pell not only for what he did to open the doors for millions in this country for economic and educational opportunity, we wanted to pay tribute to him for all that he's done as a five-term Senator from Rhode Island and one of the most distinguished Senators ever to serve not only Rhode Island but this country.

He was the author of the Humanities Act, National Endowment for the Humanities, which allows the arts to be accessible to the average person as well.

He was really the founder and the person who really began the belief that we ought to work cooperatively around the world in terms of foreign policy. As the chairman of the Foreign Relations Committee, he was the one who led in diplomacy.

And my friends, he was far ahead of his time as an environmentalist as well.

Madam Speaker, we could talk about his policies and what they meant to our country, but to know him as a person is to really say the most about Senator Pell. He was the most self-effacing, genteel, kind-hearted man that you could ever know. And in a world of rough-and-tumble politics, it's hard to find a genuine person such as that. And for that reason, on a personal level I

was honored to know him and serve with him and today join my colleague, JIM LANGEVIN, in paying tribute to him.

Senator Pell left an extraordinary legacy that is appreciated by so many people around the world.

He spent his life in service to our country from his start in 1960 as a U.S. Senator from Rhode Island to his retirement in 1997, and in the years beyond in which he remained active in our State.

Our Nation has lost one of its most visionary and thoughtful legislative leaders, and his hallmark, the Pell Grant, exemplifies his efforts to promote education and opportunity for all Americans. So many families, though they may not know his name, were touched by the work and generous spirit of Senator Pell.

There are so many areas in which he led our country to the forefront such as oceanography, foreign policy, and college tuition assistance. His commitment to public service and his notable contributions to Rhode Island and our Nation continue to inspire people of all generations.

The magnitude and depth of his accomplishments may never be known because he let others take the credit and acclaim. His style was understated yet magnanimous and his work ushered in many essential policies that have shaped our world today.

Earlier this week, President Clinton, Vice President-elect Biden, Senator KENNEDY, Senator REED and many of his other friends from around the globe paid tribute to his work and celebrated his life.

He will be truly missed and my sympathies and prayers are with his family. He leaves behind his wife of 64 years, wonderful Nuala O'Donnell Pell; his son, Christopher T.H. Pell, of Newport; a daughter, Dallas Pell, of New York City; as well as five grandchildren and five great grandchildren.

But those of us who will miss him extends much farther. It is our country's sorrow to lose such a giant of the Senate and the Nation.

And with that, I would like to yield the floor to my colleague and friend from the Second Congressional District, Congressman LANGEVIN.

Mr. LANGEVIN. Madam Speaker, I thank my colleague for yielding, and I am honored to join with him today in paying tribute to our State's former senior Senator, Senator Claiborne Pell, who passed away on the 1st of this year. He was an incredible public servant, and someone who I was proud to call a friend and a mentor. He was one of Rhode Island's greatest statesmen and gentlemen, as I said, who passed away on the first day of 2009.

Born on November 22, 1918 into a prominent and wealthy family, Senator Pell was better known as a champion for the common man and also the "Father of the Pell Grant Program." After receiving a degree from Princeton University, he served in the United States Coast Guard during World War II and later traveled the world as a Foreign Service Officer of the State Department. In 1960, he was elected to his first of six terms as a United States Senator from Rhode Island. After retiring in 1997, he became our State's long-est-serving Senator.

Diagnosed with Parkinson's Disease in 1994, he never let his physical condition diminish his spirit and he remained active in the Rhode Island community and the Democratic Party. In Rhode Island, the Pell name is legendary in politics and synonymous with the best attributes of public service, and his legacy endures.

The esteemed Senator once stated, "The strength of the United States is not the gold at Fort Knox or the weapons of mass destruction that we have, but the sum total of the education and the character of our people." Believing that education was the great equalizer, he created legislation that passed in 1972 establishing the Basic Educational Opportunity Grants—better known now as Pell Grants—that provide financial assistance to students who may not otherwise be able to attend college. It is estimated that a remarkable 54 million students have benefited from these grants.

Due to his love of the arts, he also authored the legislation, as my colleague, Congressman KENNEDY, mentioned, creating the National Endowment for the Arts and the National Endowment for the Humanities. He helped shape our country's foreign policy and believed strongly in the power of diplomacy. He stood up to defend rights for all Americans, regardless of race, class or sexual orientation.

Knowing him for more than two decades, I considered Senator Pell a friend and a mentor and had the opportunity of interning in his Washington, DC office during my studies at Rhode Island College. I found it to be one of the most rewarding experiences of my life and the beginning of a career path that led me here to Congress as a representative of Rhode Island's Second Congressional District.

As I began my own career in government, Senator Pell was always there for me, offering advice and support.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

#### HONORING SENATOR CLAIBORNE PELL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Rhode Island (Mr. LANGEVIN) is recognized for 5 minutes.

Mr. LANGEVIN. In continuing my tribute to Senator Pell, Madam Speaker, Senator Pell was and always will be a role model as I work to serve the people of Rhode Island just as he did, with courage and integrity.

This past Monday, Senator Pell was remembered by his family, colleagues from the Senate, President Clinton, Vice President-elect Biden, and many

others. It was a fitting tribute to his years of public service and his life-long vision for our country.

Madam Speaker, it is an understatement to say that his presence will be forever missed, but his enduring legacy will live on in his many accomplishments that have enhanced our country greatly, and especially the past, present and future students who have achieved a higher education because of Pell Grants. And it will live on in the people of Rhode Island, who have benefited greatly from his life's work.

My thoughts and prayers are with his entire family, especially his beloved wife of 64 years, Nuala Pell, during this very difficult time.

I join with my friend and colleague, Congressman KENNEDY, to say that Senator Pell had a tremendous impact on our careers. And again, we extend both our sincerest condolences to the entire Pell family.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from the District of Columbia (Ms. NORTON) is recognized for 5 minutes.

(Ms. NORTON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. KIRK) is recognized for 5 minutes.

(Mr. KIRK addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

#### ISRAEL AND HAMAS CONFLICT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Alabama (Mr. ROGERS) is recognized for 5 minutes.

Mr. ROGERS of Alabama. Madam Speaker, I rise today to speak about the devastating situation in Gaza.

Each of us in this Chamber knows what it's like to deal with a terrorist attack on our soil and against our people. Over the last several years, the Israeli people have been constantly bombarded by terrorist attacks on their soil and against their people. Since Israel withdrew from Gaza in late 2005, more than 6,000 rocket and mortar attacks from Hamas and other terrorist groups were fired into their territory.

The Government of Israel has a right and a responsibility to defend and protect its people. To stand idly by while hundreds of bombs explode on Israeli territory would have indeed been an irresponsible position for Israel's government to take, and continuing to do nothing could cause long-term detrimental implications to Israel's security in the region.

So Madam Speaker, critics who have said that Israel responded to Hamas in a disproportionate or indiscriminate way are wrong. Madam Speaker, I ask,

what amount of force would have been necessary to stop the brutal attacks, to put an end to the terrorists' rocket launching pad in Gaza?

Hamas has repeatedly targeted school yards and hospitals filled with children and civilians in Israel. And the militants have been deliberate in operating from places where Gazan civilians have sought shelter, jeopardizing innocent lives in Gaza. Only Hamas is responsible for the massacre of the people in Gaza. Hamas is responsible for this conflict.

Today marks the 12th day of this conflict, and I think we all hope for a cease-fire to take place soon. However, even if the parties can reach an agreement to a cease-fire, it remains to be seen whether it will be durable.

Therefore, I strongly urge support for Israel's right to self-defense and its efforts to protect itself militarily. I also urge the United Nations and our European allies to do the same.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Ms. WOOLSEY) is recognized for 5 minutes.

(Ms. WOOLSEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

#### ECONOMY IN AMERICA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Texas (Mr. GOHMERT) is recognized for 60 minutes as the designee of the minority leader.

Mr. GOHMERT. Madam Speaker, it is a pleasure to be here as we start another 2 years in a new Congress, the 111th Congress. It is an humbling honor to get to follow in the footsteps of so many giants.

I come today to talk a bit about the economy and what's been done so far and what is being proposed to be done in the future. Now, there is so much to be learned from people who have been around this place and been on this Earth for many, many decades. A fellow down in Nacogdoches had the wisdom, when he was told by a young reporter on his 95th birthday, "Congratulations on your 95th birthday, I hope you're not offended, but I hope I never turn 95," and the gentleman said, "Well, son, that's because you're not 94." But a man over 90 approached me there and said that he was sick and tired of hearing people say, oh, this is the worst day since the Depression, some people saying it's as bad as the 1930s Depression. And he said, let me tell you about the Depression. I was there. Sometimes we went for 2 days without eating. And I look around nowadays and I see people offended if they don't have three cars in their family. They've got a computer, they've got cell phones, they've got all these things, and they're trying to tell me that this is as bad as the Depression

when my family couldn't eat, when unemployment, by some estimations, at times was going toward 50 percent, but by most agreement was more like 25 percent or so. It was an incredibly rough time for America, but they managed to get through it.

There is interesting literature out now that says, by government intervention all through the thirties, the economy never got better until after World War II started; that all the government intervention may have actually prolonged the terrible Depression rather than helping. Here in this day and time we have people with the best of intentions, they want, truly, to make it better. There are others that we have here in Washington, part of the government that perhaps want to reward their friends. And that is not a partisan comment, that apparently is a bipartisan comment because we've seen it on both sides of the party issue.

But to be told repeatedly that this is a terrible depression, worst economy since the thirties, I was around in the late 1970s, I was around in 1980 and 1981. And so I gathered some numbers about those days. We had a 1973 oil crisis and a 1979 energy crisis. And we had, let's see, unemployment at 5.1 in January of 1974. And it rose, let's see, mild recession from January to July. But unemployment got to 7.5 and eventually got over 10 percent. And I recall thinking, when this guy Reagan started talking about—and I was in the Army at the time at Fort Benning, Georgia—and I heard him, and he was just such a gifted communicator, and he communicated confidence and a good feeling about this country. And it helped make America stronger when America felt stronger. There is so much to the mental status of the people of this country. But by 1979, inflation had reached 11.3 percent. In 1980, it soared to 13.5 percent. And here we had a guy, Reagan, who was saying in 1980 that as President he could bring down double-digit inflation, he could bring down double-digit unemployment, he could bring down double-digit interest rates.

I recall my wife and I bought our first house out near Fort Benning, Georgia. And my dad was concerned with the high interest rate being over 10 percent. And he said, you know, son, it just doesn't get any higher than that, why don't you wait until it comes down. And yet at the time we were selling our house after my 4 years at Fort Benning, there were people wanting desperately to absorb 12 percent loans because the interest rates had gotten so high. In fact, I've got some data gathered on that.

The Federal funds rate was about 11 percent in '79; it rose to 20 percent by June of 1981. The prime interest rate eventually reached 21.5 percent in June of 1982. And here was this candidate in 1980 named Reagan saying "I can help bring these things down." And I remember telling my wife at the time, "I like this guy." As a member of the Army, I could not criticize a Com-

mander in Chief because he was in the chain of command and that's a court-martialable offense. So you couldn't say anything critical about the Commander in Chief. But I was excited about this guy Reagan.

□ 1315

But I said to my wife, let's face it, there is no way one man, even the President of the United States, could bring down double-digit unemployment, double-digit inflation, and double-digit interest rates. I mean one man just can't do that. And these things started peaking through the late 1970s, 1980, 1981, and 1982; and lo and behold, he was able to turn things around. We had a massive tax cut, and the economy turned around and started going the other way. And lo and behold, double-digit interest rates fell below 10 percent, unemployment rates fell below 10 percent. Interest rates, inflation, all of those things came down, and I was wrong. Apparently one man could make that much difference.

Now, some of the folks know here, Madam Speaker, I like President George W. Bush. I think he is a good man, an honorable man, despite what some folks say. I like him. He's smarter than people give him credit, but as Jeff Foxworthy says, often when people who are not from the South hear a southern accent, they immediately deduct 50 IQ points from what they think the IQ of the speaker is. But when our Secretary of the Treasury convinced him to say, as the Treasury Secretary said, that we're about to have this terrible depression and we could have a stock crash like '29; in some of the private meetings, it could be that once the first bank fails, they'll all fail. We'll have a worse depression than the 1930s. We'll have all these terrible things. Those kinds of things when said from the highest people in the country can become self-fulfilling prophesies. You need to have Presidents that will come forward and say "The only real thing we have to fear is fear itself," as Roosevelt did. You need to spread calm and confidence. And there are obviously many issues on which I disagree with President-elect Obama, but one of the things we see about this man, as he prepares to take over the Presidency, he has a real gift for spreading confidence, spreading calm, and spreading hope, as he likes to say.

Now, we've been hearing a lot lately people trying to set the bar so low that anything he does will pass the bar, but the fact is we need all of our national leaders to be spreading confidence. You don't do that by saying, "Oh, we're in this terrible depression," because we are not. When you actually look at the numbers, we are in so much better shape as a Nation than we were in 1980. We don't have hostages being held in Iran and looking just so helpless to the rest of the country. President Bush has certainly made clear, and I think by some of President-elect Obama's appointments he has made clear to the

rest of the world, you don't attack us or we will respond. And so I hope that will continue. It's an important message. But we should not claim that things are worse than they are because that becomes self-fulfilling.

Though I have to say, by scaring Congress enough, there were about 60 Republicans and about three times that many Democrats who voted for the bailout bill mainly because the Secretary of the Treasury scared them enough into doing so. That's not a basis for making good judgments to help direct this ship of state.

Now, there's another \$350 billion of the original \$700 billion in TARP funds that were in that bailout bill. All that is required—and I know there are some who say, oh, no, in Congress we will get to have an up-or-down vote. The bill doesn't say that. The bill says all the Treasury Secretary has to do is file a plan. I mean, goodness, his plan could just say "I want to spend \$350 billion and send it all to my friends," and under the law if there is no vote disapproving within 15 days, he can take the money and spend it.

We have already seen \$350 billion squandered. Now, I know that Secretary Paulson had his department issue a report last week that says we have studied what we did and we think we did—no, they don't say "we think." They said, we did a great thing. We saved the economy.

Well, one of the things they were doing was spending hundreds of billions of dollars, we were told, to get more credit, to loosen up the credit. I have been sent copies of letters from banks that received billions and billions of dollars of taxpayer money and the letters say we're not going to be able to make car loans anymore, we're not going to floor plan dealers anymore.

Now, one of the things Congress has done that's been a problem is to force lenders to lend money to people who could not afford to pay it back. So I'm not in favor of doing that. I don't want to force lenders into making bad loans. But when billions and billions of American taxpayer dollars are extended to these huge banks, and at the same time I've seen press releases from those banks that say, oh, this will really help us to extend more credit, lend more money. This will help with the credit crunch, and then follow it up shortly thereafter by saying, we're not going to lend like we used to and we're holding money in reserve. It had absolutely the opposite effect of what it was supposed to have. So that causes great concern. It has not opened up lending. And the fact is this Congress could allocate \$2 trillion to Detroit auto makers, but if people cannot buy cars from the dealers and the dealers have all the banks pulling back floor plans saying, we're not going to help you get cars in to sell to other buyers, then it will be wasted money. You've got to have people able to buy cars or any money given to Detroit is absolutely wasted.

There was some criticism of Secretary Paulson, and I was one of those

who was appropriately critical, for not having more restrictions on the money that was given away. Some of it went to bonuses. Instead of extending more credit, some banks actually bought up competition, which means there will be less credit extended because there are fewer lenders out there to extend that money in the way of credit. So it had the exact opposite effect it was supposed to. And with all due deference to the Secretary of the Treasury patting himself and his department on the back for doing such a great and noble job, I just don't see it in what we've had happen here.

I've been joined by one of my colleagues from Georgia, a man I have the utmost respect for. He is someone in whom I have the greatest of confidence and admiration, and I know that when I have an idea, I'm better off running it by him before I float it out publicly. And so I would like to yield to my friend LYNN WESTMORELAND from Georgia.

Mr. WESTMORELAND. I thank the gentleman from Texas. It might not be your accent that hurts you with the points IQ, but it may have been your introduction of me. But it is good to be here with you to talk about the stimulus package.

I voted against the stimulus package, or the recovery bill, as I know you did and many others did, because we didn't see any real plan out there. And the only plan that we really heard, Madam Speaker, if you will remember, they said there was a bad automobile wreck, that this credit crisis was like a bad automobile wreck clogging up the expressway and that behind this accident there were trucks carrying student loans, automobile loans, mortgage loans, all different types of credit, and that because of this accident that those loans were not getting through to the people that needed them; so we need to spend \$700 billion. And I think at the time they said it was about a 5 percent bad mortgage of home loans, and there are about 80 million mortgages; so that's roughly 4 million loans. So this credit crunch was caused by these 4 million loans to spend \$700 billion. So we cleared the accident, or at least we were told that we were clearing the accident.

But the accident is not cleared, or if it is cleared, nobody has let the traffic through because there are people every day being foreclosed on because the banks that are getting this money, and one bank in particular that does business in Georgia got \$4 billion of TARP money and they are foreclosing on people every day. They are not giving people an opportunity to restructure their loans. They are calling more principal due on these loans. And I'm not telling a bank to make bad loans, but the reason that we are in this situation is because they originally made bad loans. What I think we're telling them is they need to clean up the bad loans that they made. They need to clean up their own mess. But now that they've got

taxpayers' dollars, they especially need to be using that for the intent that Congress gave it to them.

There was an article, and I think it was in the New York Times, this is the name of the article, December 17, "Fed Cuts Key Rate to a Record Low." It says: "Of much greater practical importance, the Fed bluntly announced that it would print as much money as necessary to revive the frozen credit markets and fight what is shaping up as the Nation's worst economic downturn since World War II."

And you addressed that. We're not necessarily in that economic downturn, and we're going to continue to print money until we unfreeze the credit market. Well, this first \$350 billion should have done something to help fall it out in the least, but people every day—I have got builders and developers, small business people in my district, the Third District of Georgia, every week calling me saying, we're going out of business.

A good friend of mine has been in the grading business. His family has been in the grading business for 57 years. He's been running it for the past 30 years. His father started it. He called me and he said, "Lynn, today is the last day we're going to be in business. I've got employees that have been with me for over 30 years that I have got to let go. What do I need to tell them about the bailout?"

This money is not getting through to these small businesspeople, and we need to make these lending institutions accountable. I talked to Chairman FRANK, and he said that they're going to come up with a bill in about the next 2 weeks or so to make these people accountable. And they need to be held accountable.

These are taxpayers' dollars. These are people's individual dollars going to this bailout, and they are not having the ability to even access any of the money. These banks are holding the money, and they're holding the money so they can buy small banks. I've had community bankers call me and say, we applied for TARP but we can't get it. We can't get the TARP money.

So do you think that some of the Big Nine are going to go into our communities, into Grantville, Georgia; or Griffin, Georgia; or Thomaston or Greenville, Georgia; and make somebody a loan that wants to open up a barber shop or wants to have a nail salon or wants to do an automotive repair shop? No. We depend on these community bankers, and right now these big banks are sitting around waiting on these community banks to fail so they can go in, gobble them up, and do away with our community banks. These community banks, some of them told me they voted not to get them. The gentleman from Texas, they voted not to take the TARP money. The Federal regulators came in and said, you need to take the TARP money. And then they applied for it and couldn't get it. We have got to stop this nonsense, and

we need to let the free market work. It will work.

□ 1330

It has worked. It will work again if we will just quit muddying the water.

Now I hear about this new stimulus package that the President-elect is going to come up with. He is going to create about 3 million jobs, and I heard today on the news, before I came over here, of 1.2 trillion, which means that each one of these jobs is going to be about \$400,000.

Now, I don't know about you, but that's pretty expensive for the taxpayers to create 3 million jobs at \$400,000 apiece. I would think that we might create, with that kind of money, we might create a lot more jobs than that at \$200,000 apiece, twice as many jobs. In fact, I know a lot of people today that would just love to have a job.

But the government creating jobs, 600,000 new government jobs, that's 50 percent of the people, exclusive of the Postal Service, that we employ right now. We are fixing to employ 50 percent more people.

Now, that's great that we are creating these jobs, but that means that this 600,000 people are going to have to continue to be paid every year and their insurance and their benefits. I am telling you, we are going down a real rocky road.

I am glad that the President-elect has realized that this economic situation that we are facing in our country today needs some attention. This Congress has tried to give it the attention. The current President has tried to give it the attention, but I think there has been too much love and not enough firm discipline that everyday citizen is out there facing, the firm discipline of not being able to pay your bills. They don't have the ability to print more money, and they are out there suffering.

We are not doing the suffering here. We keep printing the money and keep throwing it out there, and it keeps going to the big dogs. It keeps going to the people that made these major mistakes that leveraged some of these mortgage investments 45 and 50-1.

We are bailing them out, and the average guy is not getting bailed out. I have got a real good friend of mine that called me yesterday, he is in his early 50s, he has been in the real estate business and the building business along with me—he and I have been in it together for a long time—he is going to the police academy. He is starting the police academy. He is starting a new career because he cannot make a living doing what he's doing.

We need to wake up and to realize that if we are going to clear the wreck, if we are going to unfreeze this credit market, these lending institutions need to be accountable to us, the taxpayers, and make sure that they are taking this money and doing what they are supposed to do with it and not just paying their top dogs, their bigwigs, all

this money going to the resorts, sponsoring championship football games, buying banks in China for \$6 billion, but they are lending the money out.

I don't care if you have got a credit rating of 835, you are not going to be able to borrow a dime, because they are afraid. They don't want to lend it, and they are saving this money to help their balance sheets. This is no way to run a railroad.

It's not the intention that this Congress had. We need to do something to make these people that are receiving this TARP money accountable. We need to make them go back and correct the bad loans that they made and to make sure that the everyday guy out there that's furnishing this \$700 billion can have some type of benefit from it.

With that, I appreciate you giving me the opportunity to do this.

Mr. GOHMERT. Thank you, Mr. WESTMORELAND, for participating. You have made some great points.

You know I have talked to a number of builders there in east Texas, where I represent, back in September. I know things were tough in a lot of places in the country back in September, but the contractors were telling me they are doing okay, you know, it's just not fantastic, but they are doing okay.

As soon as we started hearing all the gloom and doom, I started to hear people say, you know, we were going to buy a house, we were going to build a house, we were going to buy a car. But since we are told we may be headed for depression, we are going to hold up and wait and see, you know, maybe sometime next year. We don't want to be buying a new house, or building a new house, or building a new building for our business if we are about to hit a depression.

So what happens? People quit buying cars, they quit building. Contractors say, you know, we always love when the phone rings, that means it may be somebody that's about to build another building. But, lately, they cringe every time the phone rings, because it means someone else may be calling to say we had talked to you, we were planning on building something the first of the year, but let's hold up and wait and see if this depression really is coming.

Let me tell you a little more about the 1980s when people say, oh, this is the worst since the 1930s. Actually, in 1980, there were approximately 4,590 State and federally chartered savings and loans institutions with total assets of over \$616 billion. Let's see, between 1980 and 1983, 118 S&Ls with 43 billion in assets failed.

Things were going badly in this country. Banks, S&Ls failing, S&L crisis, all kinds of things that had been built up, ready to start happening during the 1970s and in the early 1980s that began happening. Were it not for the foresight to have tax cuts, stimulate the economy, then things never would have turned around, but Ronald Reagan did a good job of doing that.

Now, as my friend, Mr. WESTMORELAND, read the quote, the Fed is print-

ing money. They are printing money like crazy. There are consequences to doing that, for those of us that really believe so many solutions can be found in history, because you can go back historically.

As Solomon said, there is nothing new under the sun. There is new technology, but there are not new issues. These things have all been tried and failed, succeeded. So you go back and you say, okay, this is what was done this year, that failed. This was done here, that succeeded. Let's go over the things that succeeded.

And we have seen over and over that if you want to create inflation, as we saw in the late 1970s and the very early 1980s, just print money like the Fed is doing now. We are very fortunate that we haven't hit a huge inflation rate in the last 2 months. And why would that be? Well, back last summer, we were paying \$4 a gallon for gasoline and now many of us are paying \$1.40, that kind of thing, for gasoline.

We are very fortunate that the price of energy failed at a time when we were printing money like crazy. But we cannot keep doing that. To print \$1.2 trillion over the next 2 years will devastate this country with inflation. We are talking about the 1920s. For those of you who remember your history, going back after World War I, Germany was in very, very difficult circumstances. Their economy was a real problem. They had elected officials, they were trying to turn things around.

They thought they could print money and print their way out of their economic troubles. And some people remember the illustration of people carrying wheelbarrows of money to the supermarket—wasn't supermarkets back then—but to the market just to buy essentials and food.

That's where this leads, when you just keep unabatedly printing money, like is being done now, the inflation will come. It will devastate this country. It is silly to be doing that when we know from history what happens.

If you really want to get scared, look what happened in Germany in the 1920s and going into the 1930s. The economy got so desperate because of all this inflation, they ended up electing a little guy with a funny mustache that was such a bigot and such a mean-spirited man, he devastated the planet.

Israel is having difficulty now, having rockets fired on them each day from the Gaza Strip from Hamas. During that little man with the mustache's regime, over 6 million Jewish people were slaughtered. Why? Because good people in Germany got desperate because of inflation, and they elected a man who was going to help with their economy, not realizing just how mentally unbalanced the man was, and millions and millions and millions, the entire world, suffered as a result.

This Nation has been the defender of freedom around the world. This Nation has been the most solid economy around the world. The world depends

on us to make good judgment in this body. And when we fail, it's not just those of us in this body that suffers, it's the Nation, it's the world that suffers.

It is so touching, and the older I get, the more I turn into my late mother, who just got teary-eyed and emotional about all kinds of things, it was deeply touching to see all the children, Madam Speaker, gathered up here around the Speaker's rostrum yesterday as we were sworn in, cute children, all races, both genders, just really neat, great, wholesome, bipartisan, Democratic kids, Republican Members' kids. But the thought that went through my mind is, if we don't change our ways, these are the sweet little children that as adults will pay, literally pay, for what we are doing.

We are running debt up on those little kids that they should never have to pay. For us to live now, that is so wrong. We need to be helping our children, not saddling them with more debt, and that's what an overzealous stimulus package will do.

That's why yesterday the first bill that was laid down on the desk over here to be filed was a 2-month tax holiday bill. I filed it in December, and I filed it again yesterday with this Congress.

It takes the 350 billion still remaining of the bailout bill, and section 4, it's not a long bill, it just has 5 pages, section 4, "Immediate Termination of TARP Purchase Authority." That is an important principle. It is time to end the authority that we gave to one person, the Secretary of the Treasury, with all of this unfettered ability to just squander money.

I mean, the main restriction in there was he couldn't bail out central banks of foreign governments. But, basically, you read through the bill—and I am afraid there weren't enough people that did—and it just goes on and on as the Secretary determines.

I tried to point out to people, we have never, since we had a Constitution, given that kind of authority to one man. We should never give that kind of authority to one man. It was a mistake. You don't give unrestricted authority like that to just go out and squander money.

No matter which party is in power, it doesn't matter in this country, the principles that made us great, the principles that caused the signers of the Declaration of Independence to pledge their lives and their fortunes and cause many of them to lose and give up their lives, their families' lives, their complete fortunes, was the principle that government does not need to have this kind of unrestricted authority. And yet the market dropped 777 points, and all of a sudden people who knew our history, knew the principles on which this Nation was founded, were all of a sudden ready to come rushing in here and give one man that kind of authority.

George Washington, before the Constitution, December 27, 1776, was given



that kind of authority. He didn't ask for it. He hardly used any of it. He used his leadership to persuade the soldiers to reenlist. That's why the bill was passed December 27, 1776.

The Continental Congress knew if these guys don't reenlist in January, we are all dead, and so will our families be dead. So that's why they passed the bill giving Washington this unfettered authority to spend money. He used his leadership to persuade them to reenlist, even in that terrible winter. That's leadership.

But as Washington said, a people unused to restraint must be led, they will not be driven. And too often in Congress we try to drive people instead of leading people. So that's one part of my 2-month tax holiday bill. It ends the authority.

Now, Madam Speaker, people need to understand that in this bill, the bailout bill that was passed in September, there was \$700 billion appropriated. To give another \$350 billion, all he has to do is file a plan, and we don't vote for 15 days.

□ 1345

My bill is funded by bringing that \$350 billion back into the Treasury. So, what did we learn historically from the tax cuts that President John F. Kennedy did, President Ronald Reagan did, and in 2003 President George W. Bush did? We will just overlook the last 4 months where we forgot our principles here in this administration. But you go back to those tax cuts, the economy was stimulated. And each time the revenue into the Federal Treasury did not decrease. It increased dramatically, because the economy went strong.

So there are two ways to raise revenue in this country. One is raising taxes, and then you have an immediate increase in tax dollars coming into the Treasury, but the long-term effect repeatedly we have seen it is to kill the economy. Or you can lower taxes and immediately stimulate the economy, and then as a result of the economy being stimulated, then more tax dollars than ever come in than even when you raise taxes.

So it is all what you want to happen long-term for the sake of our children and those to follow us, and that is why this bill says instead of the Treasury Secretary squandering, it doesn't use that term, of course, but that is what has happened, squandering \$350 billion, it allows the people who earned the money to keep it for two months. So, that is about \$101 billion a month that individuals pay into the U.S. Treasury in individual income tax.

Now, we really need long-term tax reform. We need to drop the capital gains rate, like Ireland did, to 12 percent, which has really helped their economy. I think their corporate tax rate is 11 percent, so businesses are flooding into Ireland.

I am sick and tired too of hearing people say we will never get manufacturing jobs back into America. That is

hogwash. Look around the world. Some of us went to China. What was the number one reason industry was moving to China, they told us, why they moved their industry? Yes, they said labor is cheaper, but we have better quality control back in the U.S. Our workers produce better products back in the U.S. But the corporate tax rate is less than half of what it is here. Lower the corporate tax rate. You will see manufacturing jobs flood back into the United States. That is what it is all about.

Some of them said, you know, they cut us a deal on corporate tax rates in China so we were able to build a brand new facility with state-of-the-art equipment and it basically was paid for very quickly out of money we didn't pay in corporate taxes, and now we are competitive again because our aging factories in the U.S. were costing us, and now we are state-of-the-art. All you have to do is lower the tax rate. Jobs will instantly appear.

Go after our own energy in this country. We know the energy rates are going to come up, and we need to do something about it now to produce our own energy so that we are doing that and this inflation cycle doesn't kill us.

Going back to my 2-month tax holiday bill, it says as far as the tax cut part, in the case of wages received for services performed during the period beginning in the first full month after the passage of this bill, the percentage of tax will be zero.

Now, I heard from some self-employed people who said, well, it is not going to help me being self-employed. I work just as hard or harder than anyone else, and yet I am not included. Yet that is not accurate. That is included. It says clearly in the case of self-employment income for service performed during the 2-month period, the percentage of tax will be zero. So there will be no withholding during the 2-month period for income tax, there will be no withholding for FICA.

I have gotten good suggestions. Newt Gingrich has been extremely helpful in suggestions and spreading the word, as Jed Babbin and Neal Boortz and Steve Morton, so many, many great thinkers have been helpful.

But President-elect Obama promised that if you make less than \$250,000, you will get a tax cut. Some of us have been concerned when we give tax cuts to people that don't pay taxes that that is not a tax cut, that is welfare. Under this bill, the tax cuts go to people that pay taxes.

There are, we know, people who do not pay income tax. They don't make enough. They work hard, they earn a wage, but it is not enough to get to the level of paying income tax. They still have FICA withheld from their check. Under this bill, no FICA will be withheld from their bill, and because the employee has no FICA taken out, then the employer who is struggling to make sure they keep people employed gets a 2-month holiday on paying FICA as well.

Some have said, well, this will hurt people on Social Security. No, it won't, because it specifically says that, and this is in section 3, funding of Social Security trust funds is with repealed TARP funds. It is covered. The \$350 billion doesn't get to be doled out for bonuses for the Nation's wealthy who have mismanaged their banks or their firms and then reward themselves with bonuses. It doesn't go there. It goes to the people who have earned it. So everyone who is working will get a tax break.

Some have said, well, I would appreciate having the withholding not taken out for 2 months, that will really help me for those 2 months, but it will hurt me at the end of the year when I have to pay that. They miss the point. There is no Federal tax for 2 months under this bill. Everybody gets a tax cut. So actually what this very short, very efficient bill does is exactly what President-elect Obama promised would be done, with the exception it doesn't have a \$250,000 cap on it.

Now, there are those I know who are doing well and are able to live off the dividend income and the interest income, and that is harder, of course, after the stock market went down. And God bless those folks. I am thrilled to death that you are in a position where you can live off of dividend and interest income. I would like to see across-the-board complete tax reform. But under this bill, this does not give tax breaks for unearned income like interest and dividend. This is only for wages earned during this time.

So if you are a hardworking American, you are going to get a tax cut under this bill. It does exactly what President-elect Obama promised. For anyone who pays any FICA, income tax, for 2 months you get that tax break.

Now, it is so ironic that the bailout bill was partly under the guise that we are going to give all these billions or hundreds of billions to banks so they can increase credit, make more loans, so people can refinance their loans and finance into the new refinance money what they are behind on so they don't lose their homes.

Well, I have talked to people who say if they could have their withholding from their check in their check for 2 months, they can catch up. A lot of people fell behind last summer when gas prices were \$4 a gallon. They get their withholding for a couple of months. I have seen figures that estimated if your family income, household income is in the \$60,000 range, you could get \$2,000 or \$3,000 over that 2-month period. So they could catch up on the mortgage and you wouldn't have to borrow more money to catch up on your mortgage. You could catch up.

I have had some people tell me, I want to get out from under this gas-guzzling car I have got, but when energy prices went up, the value of any car went so far down, now I owe more on my car than it is worth, so I can't

trade it in, because I don't have a down payment for another car. I would be without a car, so I have to keep paying on this gas-guzzler. I would like to get a more efficient car.

This would allow those people to buy a new car, a more efficient car. It is good for everybody.

But we come back to what I said earlier: If people cannot buy cars, then it doesn't matter how many trillions of dollars we give to the auto makers, they are going to still ultimately go out of business. And the trouble with bailouts is once you start giving money to anybody, whether it is a bank, an insurance company, whoever, once you start that process, you will always be able to find someone more deserving of a bailout than those who have already gotten money, and there becomes no good place to stop.

Well, when you love someone and you see that they are getting addicted to some substance, and as a judge I saw it, you see them getting addicted to something, then it is time to have an interdiction and say I love you too much to allow you to continue this addiction. We are not going to let you have any more of that.

Now, I was upset when we were talking about an auto bailout, because I knew the auto makers had been withholding hold-back money, rebate money, that they contractually owed dealers. They were putting dealers in a bind just because they weren't abiding by their own contracts. As I understand it, they have begun to catch up on that, and that is appropriate.

But to see then letters from major banks who have gotten billions of tax dollars who are now saying we are not going to be lending money for cars, we are not going to be lending money to dealers anymore, even though they are wonderful dealers, they have a good business, it looks like they will stay in business for good, we are just not going to lend anymore, that is such an abuse and 180 degrees from what was promised.

Now, some would say we should not get the Federal Government into the business of telling lenders what to do with their money, and I am one of those. However, the danger that every bank should have been told by their attorneys is, keep in mind if you take Federal money, the Federal Government is going to have their hand in your business and they are going to tell you how to run it, because they are a partner with you. And I happen to believe if we are going to put Federal money in something, we should have restrictions and tell people like a bank that this is what you can and can't do. Secretary Paulson did not do that.

But my preference is don't give away any more bailout money. Let's let the people that earned it keep it and let them decide who deserves to be bailed out and who deserves to have their products purchased. That is how a free market works.

When you look back, you see that an open government is a good thing, a free

market is a good thing. To my way of thinking, being such a student of history, it looks like from our founding documents the most important job that we have as a Federal Government is to provide for the common defense. Then, beyond that, this Federal Government should create a level playing field, punish cheaters, make sure everybody plays fairly, and then let them play. That is what we need to be doing, and we have gone so far in excess of that.

This government, when I heard that we were going to encourage a car czar, I couldn't believe it. I mean, we can't even do a good job of designing our own I.D. card. Can you imagine what we would do with cars? Good grief. We should not be in that business.

So I would encourage people, Mr. Speaker, who believe that they would do a better job of spending their own money, to contact their Representative, contact their Senator, call the Capitol Hill operator and they can be connected to their Representative, their Senators, and that would go a long way toward getting this bill to the floor and getting it passed. Because it is not an issue of if the money will be spent, it is an issue of will the Treasury Secretary squander it on your behalf, or will you be able to use your own money to help get this economy turned around.

#### REVIEWING THE NATION'S LONG-TERM ECONOMY

The SPEAKER pro tempore (Mr. YARMUTH). Under a previous order of the House, the gentleman from Virginia (Mr. WOLF) is recognized for 5 minutes.

Mr. WOLF. Mr. Speaker, I have been concerned about the financial future of our country for some time and in 2006 introduced a bill to set up a national commission to review our Nation's long-term economy, including mandatory entitlement spending, discretionary spending and tax policy. It is bipartisan. We have well over 100 members from both sides of the aisle.

□ 1400

The bipartisan Cooper-Wolf SAFE proposal was similar to the commission proposal by Senator CONRAD and Senator Judd Gregg of New Hampshire, would be bipartisan and a way to review entitlement spending and force the Congress to act. The commission has over 100 cosponsors during the last Congress.

We've all read, Mr. Speaker, the stark figures of the 2008 Financial Report of the Federal Government. Even more telling is, during the month of October and November, for the first 2 months of this fiscal year, the Federal Government piled up \$401 billion in red ink, and we're on a pace to surpass the fiscal year 2008 deficit of 455; in 2 months almost we're going to rival that.

And yesterday, President-elect Obama predicted a \$1 trillion deficit, he said, "for years to come."

Now, does anybody really care? It just seems that this institution continues to go and do what it's done in the past. In the past few days, numerous sources have reported that the economic stimulus is expected to cost \$675 billion, and some are saying up to \$1 trillion.

Mr. Speaker, whatever package is voted on, Congress has the obligation to their children and their grandchildren and to their constituents to find a bipartisan way to address the Nation's looming financial crisis by including a mechanism to deal with the underlying problem, what is now on auto-pilot spending. If we don't do this in this Congress when we're doing the stimulus, I think both political parties in this Congress, the 111th Congress, will go down as the Congress that refused to deal with the fundamental issues that are facing this country.

There's the Simon and Garfunkel song, The Boxer, that says "Man hears what he wants to hear and disregards the rest."

This Congress disregards the overwhelming debt that we have faced in this Nation. I have here, Mr. Speaker, a bill issued by the Federal Reserve of Zimbabwe in July of last year. It's \$100 billion. \$100 billion. It won't even buy a loaf of bread. Is this the future of our country?

And if this Congress, and let me just say to my colleagues on this side, if our party doesn't deal with this issue, and they don't deal with this issue then, frankly, this Congress will go down in Congress' history as the Congress that's neglected to deal with these fundamental issues.

So many say, why a short-term stimulus simultaneously with this? Well, it takes two legs to walk. If we can demonstrate that we are dealing with the entitlement issue now, that may very well get whatever short-term thing we're going to do to demonstrate that we have the commitment to make it work.

Isabel Sawhill, Senior Fellow at the Brookings Institute, has likened the situation in our country, she said, to "termites in the woodwork, slowly eroding our strength as a nation."

I recently read a speech by Richard Fisher, President of the Federal Reserve Bank of Dallas; it's called Storms on the Horizon. It's a sobering account from a monetary policy point of view of why deficits matter. And it is frightening. I put it in the CONGRESSIONAL RECORD every day. I would hope Members of Congress could read it.

But what he said is doing deficit math is a sobering exercise. It becomes an outright painful one when you apply your calculator to long-term fiscal challenge posed by entitlement programs. Then he goes on to say that we are facing catastrophic conditions. Our children, our grandchildren, our constituents are facing a catastrophic condition if we don't act.

Some people say we need regular order. Frankly, if we don't do this in a

bipartisan way, 8 Republicans, 8 Democrats, similar to what we did on the Iraq Study Group, frankly, I think this Congress will not have the courage, the foresight, the ability to vote on these issues to deal with it.

So what we are saying is a massive package up-or-down vote, 8 Republicans, 8 Democrats, this bill was drafted by the Heritage Foundation, by the Brookings Institution, supported by David Walker, supported by David Broder, by David Brooks, by economists all over the country, and then it uses the language that is in the Base Closing Commission that requires, because if you don't require this institution to act it will not act. It will find all the reasons it can to neglect it. It will require it to act in 60 days.

So I say to my colleagues on this side, if we're going to deal with this stimulus, we'd better have our own ideas and put up for a proposal, which I will do unless I'm tied and gagged, I will offer a motion here to force us to vote on this.

And I say for the other side, I ask you to do the same thing so we could come together in a bipartisan way so when we leave this Congress we know that we have truly dealt with the entitlement issue and saved America for our children and our grandchildren and future generations.

#### OUR ECONOMIC SITUATION AND FOREIGN POLICY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from California (Mr. SHERMAN) is recognized for 60 minutes as the designee of the majority leader.

Mr. SHERMAN. I will take much but not all of this hour to speak. Roughly, the first half of the presentation will be on our economic situation. The second half will focus on foreign policy.

I know that I have a number of colleagues that may have important things to say to this House, and if they come to the floor, I'll be happy to yield them a few minutes at a time that is convenient for them.

Even with this long speech, I will not be able to cover all the details that I'd like to provide to my colleagues. Therefore, I invite all my colleagues to visit the relevant portion of my web page, [bradsherman.house.gov](http://bradsherman.house.gov) for more of the details of the matters I'll be discussing here.

In talking about our economy, I will divide my speech first to talking about matters relevant to the Financial Services Committee, on which I've served for 12 years, and particularly the bill known as TARP, or EESA, the Emergency Economic Stabilization Act, best known to the public as the \$700 billion bailout bill.

The second part of my economic presentation will deal with the stimulus package now being put together, particularly by the Committees on Appropriations and Ways and Means.

Now, I was a critic and twice voted against the \$700 billion bailout bill, the so-called TARP. The supporters of that bill will have to admit that it has not restored our economy as the proponents had advertised, and, in fact, some of the worst times for the economy were the 2 to 3 weeks following its passage.

On the other hand, those of us who were critics should admit that the bill has, frankly, cost the government far less than I had anticipated. When I say cost, I don't mean just how much is spent, but from that must be subtracted the value of the securities, the bonds and the stock certificates received by the Federal Government.

In this case, Secretary Paulson misled this House and the other body by testifying that he would use the \$700 billion to buy toxic assets, bad bonds. Had he done that, and all of us voting on the bill had every reason to believe that he was telling us the truth, had he carried out that policy, then he would have bought, for the money he had spent, whether it's the 350 billion he has spent so far or the 700 billion that I feared he would spend, he would have spent that money in return for assets of dubious value. That's why they're called toxic assets.

In contrast, having misled the House and the other body, Secretary Paulson bought preferred stock in the various financial institutions. In doing so, he was overly generous to Wall Street as to the terms, but, nevertheless, he did secure assets for the Treasury that are of substantial value.

Paulson's shift, frankly, was right along the lines that many of us who are critics of the bill had urged him to adopt. And so those who supported the bill, those who are critics of it, must both recognize that what the Treasury has done so far is far different from what all of us believed would, in fact, be the policy.

Now, we see that \$350 billion has been expended by the Treasury, and another \$350 billion remains unspent. I am pleased that the Secretary of the Treasury has not yet taken the procedural actions to release and give himself control of the remaining \$350 billion.

It is my understanding that leadership will bring to this House a bill that will release the \$350 billion to the Treasury and will impose additional conditions. And I'd like to take a few minutes to address what I think ought to be in that bill.

First, is the issue of whether any of the funds to be released, any of that second \$350 billion, will be available to the Bush administration. Last month I wrote the chairman of the Financial Services Committee saying that we should have limits on the amount that could be spent by the Bush administration out of the second \$350 billion. In fact, I proposed that only \$10 billion or less be available to the Bush administration to deal with whatever exigencies it dealt with in its waning days. It

is my understanding that the bill that will be brought before this House will provide the Bush administration with \$0 to deal with whatever comes up in its last week or so in office.

In any case, I think, having seen Paulson in action, the vast majority of this House would believe that somewhere between 95 percent and 100 percent of the second \$350 billion, if it is made available to anyone in the executive branch should be made available only to the Obama administration.

I should point out something about process. It would be best if any bill dealing with the second \$350 billion was actually dealt with in regular order.

Now, I'm not saying necessarily that every committee of possible jurisdiction should do a full markup, but as we deal with this economic crisis, at least the primary committee as to each bill should have a markup so that Members can be heard, and the House can work its will.

In addition, I would hope that the Rules Committee would allow a reasonable number of amendments to be considered on the floor.

In addition, I would hope that the Financial Services Committee would give the same scrutiny to the financial institutions who have received and are likely to receive additional bailout monies as we gave to the executives of the three automobile makers.

We need extensive hearings. We need to bring the titans of Wall Street down, and we need to have these hearings at both the full committee and the subcommittee level.

We do not want to give further credence to the accusation that Congress and the administration have two standards for scrutinizing bailout requests, one for those who shower before work and a more severe standard for those who must shower after work. We should have at least the same amount of scrutiny to an industry that has already received the bulk of \$350 billion as we provided to an automobile industry that is requesting amounts less than 5 percent of that amount.

Now, what should we provide in the way of restrictions to those who obtain bailout funds or retain the bailout funds they have already received?

Federal dollars should be expended to bail out private interests only on the toughest terms. Taxpayers should demand the highest yield, the largest equity upside, the strictest limits on executive compensation and perks. Even when we bail out individual homeowners rather than big time executives and shareholders of major companies, the Treasury should get a large share of the profit that they earn when they sell their homes.

Why is it so important that we are tough on those who seek bailout funds? There are three important reasons. First, being tough will increase support for the program. The public is currently focused on executive compensation and perks. I think it will soon focus on the value of the securities the

Treasury is receiving, including warrants that represent the upside, the potential profits of a company that is receiving bailed out funds.

□ 1415

We need public support for the enactment, and there is considerable public skepticism. In talking to my colleagues, I find very few who are enthusiastic about releasing the second \$350 billion to the executive branch, and I find, while most of my colleagues believe that we need a stimulus package, there is real reluctance to adopt one as large as that being recommended by so many prominent economists. We can achieve that support in this House and in the public by being tough on those who receive bailout funds.

Second, being tough on those obtaining bailout funds will help to limit the number of people seeking to be bailed out. Not even the Federal Government can afford to fund all of the bailouts that will be demanded if executives see the Federal Government as a source of easy and cheap money.

Third, getting a good deal by tough negotiations with anyone receiving a bailout will reduce the amount by which we are increasing the Federal deficit. We will be expending hundreds of billions of dollars now. I'm just addressing the \$700 billion piece that is half completed. There will be other expenditures. We need to reassure our children, and we need to reassure the international markets that we are acting responsibly to minimize the increase in the Federal deficit.

Now, some of the expenditures being made out of the TARP funds are going to be money lost forever. It's going to be buying assets that turn out to be worthless or investing in companies that go bankrupt. That is why we need a very large upside on those of our investments that are successful. Typically, the Federal Government obtains an upside by obtaining warrants from the companies it provides bailout funds to. These allow the taxpayers to reap the benefits of a company's success when it returns to profitability and when that profitability is reflected in its stock price.

I believe that, in the negotiations with Wall Street, Secretary Paulson has been far too generous to his friends in the financial services industry. Given the tremendous risks the Federal Government is assuming, taxpayers should be receiving far more of the upside in return for their investments.

For example, in the recent bailout of Goldman Sachs, the taxpayer received half the rate of return and one-sixth the warrants that investor Warren Buffett was able to receive on a similar investment that he made in Goldman Sachs for his fund.

The Emergency Economic Stabilization Act gives the Treasury too much discretion as to what to demand in the way of warrants. While the Treasury is required to obtain warrants when it in-

jects capital into financial institutions, it can accept as few warrants as it likes.

The Treasury has adopted a one-size-fits-all approach, which provides the Federal Government with warrants equal to 20 percent of its investment when it buys preferred stock in a financial institution. Not even this 20 percent is required by the statute, and this 20 percent is often way too low because those healthiest banks on Wall Street were willing to give us 20 percent. Clearly, the riskier banks on Wall Street that got bailout funds were not adequately compensating the American taxpayer for the risk we are taking because they only provided 20 percent warrants, a figure that might be appropriate for those financial institutions that are low risk.

The question is: What can we do in a statute? Clearly, we hope that the next Secretary of the Treasury will drive a tough bargain whenever investing our taxpayer dollars in private firms, but we can do something in the statute.

At a minimum, we should include language that was in an early version of the House bill dealing with the automobile relief that requires warrants of at least 20 percent, and we should make it clear that this 20 percent is a floor, not a ceiling. We should direct the Secretary of the Treasury to demand warrants that fully compensate the taxpayer for the risks being taken in any particular deal.

Then we turn to the issue of executive compensation and perks. These are very important to taxpayers and are important in deterring those companies that don't need a bailout from coming to Washington in their private jets, hats in hand.

Now, the bill, as interpreted by the Bush administration, has allowed multimillion dollar salaries to continue to be paid to the very executives who drove their companies into the ditch, and the Bush administration has chosen to impose no limits on perks. In particular, the Bush administration has ignored section 111(b) of the EESA, also known as the TARP bill.

That section states: Where the Secretary determines that the purposes of the act are best met through direct purchases of troubled assets, the Secretary shall require that the financial institution meet appropriate standards for executive compensation and corporate governance.

Virtually all of the \$350 billion that the Secretary of the Treasury has expended has been pursuant to his determination that we could best be served through direct purchases of troubled assets. He has not done an auction, which was the main part of the bill he was trying to sell to us. Instead, he has simply made direct purchases of assets from companies, negotiated one at a time. In those circumstances, the law requires that he shall require that the financial institution meet appropriate standards for executive compensation and corporate governance.

What has Secretary Paulson done?

He has allowed multimillion dollar bonuses to be paid to the executives of AIG. He has allowed million-dollar-a-month salaries to continue to be paid to executives of bailed-out Wall Street firms. He has allowed all of those entities to continue to operate fleets of private jets. Despite getting our money, Goldman Sachs spent almost a quarter million dollars a year to provide a limo for one executive. This does not constitute appropriate standards for executive compensation and corporate governance, nor should Congress simply punt to the executive branch what those appropriate standards should be.

Instead, we should provide by law that, if a company gets a Federal bailout, the firm must limit its total compensation package to any executive to no more than \$1 million per year for as long as the firm is holding our money. The limits should apply to the whole package of compensation—salaries, bonuses, pension plan contributions, and stock options. In particular, a huge grant of stock options to an executive at this time could be a bonanza—and an unjustified one—because right now all the stock prices of Wall Street firms are at depressed levels, and an option given to an executive to buy shares of stock for \$1 or \$2 a share could turn out to be more valuable than a ton of winning lottery tickets.

To the extent any existing contract provides for executive compensation in excess of that which is allowed under statute, I suggest that the bill provide that that contract is void as against public policy.

Now, let us turn to perks. We should limit luxury perks like corporate jets and chauffeured limousines. We should prevent these while any firm is holding taxpayers' money. I'll point out there are firms on Wall Street that got money from Paulson that said, "Hey, we signed up for the money. We never knew you were going to get tough with us." Fine. You don't like the new rules? Give us back our money; but if you retain taxpayer money, then you should not, as Goldman Sachs has done, be paying a quarter million dollars in a year for a chauffeured limousine service for one executive. If the firm's executives don't want to take off their belts and their shoes and go through airport security like the public does, then that firm should not receive and should not retain a bailout, and it probably doesn't need one.

For as long as those bailout funds are outstanding, we should prohibit firms from owning, leasing or chartering luxury jets or from maintaining a fleet of chauffeured limousines. We should provide exceptions for chartering planes to travel to remote areas, areas remote from scheduled air service, and we should allow some sort of driver and auto to be provided to those executives who face severe physical challenges.

We may also want to provide limits on how much the company reimburses its executives per night for any hotel

room—a maximum amount of \$500 comes to mind—or per meal for any meal. Perhaps it should be \$100 per meal. I hate to get down to this level of specificity, but Wall Street has proven that they will squander the money taxpayers provide their firms on lavish parties and fancy travel if we are not specific.

It is possible that the auto bailout bill that passed this House will be used as a model for limiting executive compensation and perks. If that's the case, we had better strengthen it first. We had better make clear that the limits on bonuses apply not just to cash bonuses but also to grants of stock options. We should limit the total compensation to \$1 million a year, and we should limit the use not just of leased or of purchased luxury aircraft but also of chartered luxury aircraft. Finally, we should have appropriate limits on limousines.

Let me point out that some of my colleagues have noticed that I was tough on the auto executives who used their private jets to come to us the first time.

One of those companies has told me very explicitly: "Sherman, the law may say that we can't own the jets; the law may say we can't lease the jets, but the law, as passed by the House, says we can still charter the jets, and our CEO is never going to fly commercial."

That's fine unless that firm receives bailout money. Once it does, we have to limit it. We can't play a shell game with the American people. Oh, we'll limit the luxury travel, and then just have the company charter the jet instead of lease the jet. That would be a fraud on the American people.

There is one other important improvement that we need to make to the TARP bill. You see, after that bill passed, the Treasury adopted, as I mentioned before, a plan to buy preferred stock, in particular, of financial institutions. The next administration will probably use a good chunk of the money to go back to the original plan, which was to buy bad bonds—toxic assets—from the financial institutions. Then we have to be worried. If we're buying bad bonds, at least we should buy bad bonds owned by American investors. It is not the purpose of this bill to bail out banks in London and in Riyadh and in Shanghai.

I want to make a technical distinction. I have no objection to our treating as American companies such firms as Hancock Insurance and Fireman's Fund that happen to be owned by a foreign parent. We should look at what company is on American soil, and we should provide appropriate bailouts to the companies on American soil, but what we should not do is start bailing out banks in Shanghai, London and Riyadh.

Under the bill as we passed it from this House, the Bank of China can sell a portfolio of toxic assets to any U.S.-headquartered entity whether it owns

that entity or not. It could be a small branch that it owns in my State of California or it could be some big bank on Wall Street that it does not own, but the Bank of China can sell a portfolio of bad bonds to a U.S.-headquartered entity on Monday, and under the bill we passed, that entity can sell those same bonds to the Treasury on Tuesday. I call this the China two-step. It is a mechanism by which we will end up bailing out the bad business investments, not of U.S.-based companies, but bad bonds which are held in safes in Shanghai and in London.

Our new legislation should provide that the Treasury can only buy assets—bad bonds, mortgages—proven to be held by a U.S. entity—whether it's a foreign-owned entity or not, an on-the-ground, in-the-United States entity—on September 20, 2008.

□ 1430

We should only be buying the bad bonds that were in safes located in America on September 20, which is the day that Paulson went public with the need for a bailout bill.

Now, I look forward not only to reforming the TARP bill but also using that reform as an opportunity to pass other legislation within the jurisdiction of the Financial Services Committee that can help deal with this economic crisis. And I want to point out, first, things that we can do that won't cost the treasury a penny, because before we start spending trillions of dollars, we should say, "What can we do to get out of this mess that doesn't cost us anything?"

There are a couple of opportunities.

First, we can increase the amount of business lending that can be made by credit unions. Right now, we limit credit unions severely as to how much business lending they can do. We could, for the duration of this crisis, allow those credit unions to make those business loans to small business: \$100,000 loans, \$150,000 loans. I'm only talking here about smaller loans to small businesses that need them. We need to allow businesses in all of our districts to get that \$100,000 loan that they need to expand or even to stay in business. And it is just folly for us to take one of the healthy groups of financial institutions in this country namely, the credit unions, and tell them they can't make the \$100,000 loan that is desperately needed by the small businesses in our respective districts.

Second, we need to increase the conforming loan limit. The conforming loan limit is the size of the loan that can be purchased by Fannie Mae and Freddie Mac. Those are basically the only loans that are being made today. And the cost of housing differs tremendously from one region of the country to another, even in these tough times when of course in most regions prices have gone down.

Last year, we raised the conforming loan limit to \$729,750 for high cost

areas, but we allowed that increase to expire effective on the first day of this year. We need to restore that at 730, perhaps raise it to 750. Now, this will not cause the Federal Government to lose a penny because Fannie and Freddie actually make a profit on the larger loans. They suffer losses or have suffered losses on the smaller loans.

One way we can help replenish the money that Fannie and Freddie have lost is to allow them in high cost areas to do loans at the \$750,000 level. That can be so critical for some of our big cities where declines in house prices have so badly affected local economies.

Now let me turn my attention to the stimulus bill, the bill that will basically be crafted by the Appropriations and Ways and Means Committees.

First, I want to approach the general principles that should be covered under that bill, and then I want to comment on specific ideas that are being put forward in light of those principles.

Mr. Speaker, this country faces the specter of depression. A deflationary cycle threatens a long period of economic contraction. We need an enormous immediate economic stimulus. But unless that stimulus is well designed, it may not pass Congress. Unless it is well designed, it may not achieve its objectives. And unless it is well designed, it may sow the seeds of a future disastrous decline in the value of the dollar.

So we have to make sure that the stimulus bill is big and fast but also tough, temporary, and self-reversing.

What do I mean by "tough"? As I have said, Federal dollars should be extended to private interests only on the toughest terms. And I have indicated there are three reasons for that.

First, we've got to discourage everyone from seeking a bailout or from believing that they're suckers for not seeking a bailout.

Second, we need to increase public support for what will be a highly contentious and difficult-to-pass stimulus bill. It will be much easier for Members to vote for such a bill if it provides the toughest terms to those who are receiving extraordinary Federal largess.

And finally, as I pointed out, by getting warrants, by getting other securities that give us a share of the upside, we will be in a position to decrease the increase in the deficit occasioned by the stimulus package.

Now let's talk about why the bill must contain provisions so that the stimulus is temporary and reversible. Self-reversing, in fact.

Keynesian economics offers a simple prescription for the difficult times we're facing now. That is to say, easy money now and fiscal and monetary austerity after the economy improves.

How in good conscience can we vote for a massive economic stimulus now if we believe that it is unlikely that Congress will adopt austerity later? We in Congress love handing out money. We know that. We love tax cuts, and tax rebates, and tax holidays, and tax fiefdoms, and benefit expansions, and subsidies, and bailouts, and infrastructure

projects, and aid to States, and aid to cities and Rite Aid, Kool-Aid. We like spending money.

Can we count on future Congresses to discontinue and then reverse the fiscal expansion that is necessary today? What I fear is going to happen is that the advocates of fiscal responsibility—and I count myself among them—may prevent Congress from giving us the full level of economic stimulus that we need now. I fear that the stimulus will not be as big and fast as we need now. And simultaneously, I fear that the advocates of tax cuts and the advocates of free spending will prevent us from turning off the spigot later.

To avoid this outcome, the stimulus package should be both temporary and self-reversing. The same statute which provides a huge amount of stimulus should also provide particular identified tax increases and expenditure cuts that will go into effect automatically in the year 2013. The statute could and should provide that those automatic provisions would be delayed if we failed to achieve 3 percent economic growth in the year 2012.

Now, of course I can't know today what is the best budgetary policy for this country in 2013. We would have to fine tune or change anything that we write today as 2013 approaches. But we need to give the upper hand to those who would advocate fiscal responsibility after economic growth has resumed.

If austerity in 2013 is mandated by a statute that goes into effect, then the advocates of fiscal responsibility will have that upper hand and can negotiate with our colleagues to make sure that we get the kind of austerity that should follow the fiscal expansion that we need now. Only if an economic stimulus proposal is tough, temporary, and self-reversing can we generate the political will necessary to adopt a proposal that's big enough and fast enough. Only if stimulus measures are temporary and self-reversing can we make sure that the actions we take this month do not eventually lead to inflation, higher interest rates, a declining dollar, and an enormous and permanent increase in the Federal debt.

So these are the principles that I think should guide us with regard to particular elements of the stimulus bill.

Now let us look at particular proposals. Are they efficient? Do they get money into circulation quickly? Does every dollar we spend or forego get into the economy and get in quickly?

Second, is the money spent for a good purpose?

Third, does the money stay in the United States, or are we going to be spending money at the Federal level that goes to simply finance our trade deficit?

And finally, are the provisions temporary and self-reversing?

First, let us talk about aid to States. This is, I think, the most important

element of the program because what could be worse for an economy facing contraction than to see our police officers and teachers being laid off by State and local governments just when we need to keep people employed.

If we provide aid to States, what about the efficiency? I think every State government is going to spend that money effectively. Those States that don't need it may choose to save it for the future, but there are very few of those. Will the money be put to good use? Yes, to keep teachers and firefighters and police officers on the payroll and all on the job. Will the money stay in the United States? One hundred percent of it stays in the United States.

And, of course, this would be temporary. If we wanted, we could even make it self-reversing. Most States are not allowed to borrow money from the Federal Government by their own constitutions, but what we could do is change the reimbursement formulas so that we take a bigger share of the Medicaid budget than we do now and let the States save money on that with the understanding that come 2013, not only does that formula go back to where it was, but it may even swing in the other direction and be adverse to the States.

They could plan for this. This would be a way to make the proposal of State aid even self-reversing. But if it's not self-reversing, it will be temporary. It will be efficient. It will be a good use of money, and the dollars will stay in the United States.

Second is the possibility of tax rebates to consumers. This is money that will be well spent by America's families who need it. But we cannot be sure that they will spend it. It may be saved, and we have to expect that of the portion of it that will be spent, much of it will be spent on foreign-made goods. So it may be important to provide these rebates to consumers in our society. It will help keep the retail economy going, keep our shopping centers from going bankrupt, et cetera. But let us remember that a chunk of that money is going to go overseas.

A third element is business tax breaks, and here we have to draw a distinction between those business tax breaks, which we in the tax world call "timing differences," and those that are permanent tax reductions.

What are the timing differences? Timing difference is when you give somebody a deduction today that they would otherwise get tomorrow anyway. You have simply changed the year in which they get the tax reduction.

There are two proposals on the table from the Obama transition team that fit this bill. One of those is changing the rules with regard to investments up to, I believe it's a quarter million dollars, to let smaller businesses write this money off in the year in which they spend the money. In the absence of a special provision, they would have to capitalize that money and write it off as the asset they purchased is used up, as the machinery wears out.

Well, we want to encourage businesses to invest now, and ultimately it costs us little or nothing. Yes, we give them the deduction right now this year, otherwise they would take it over a period usually of 5 years. Why not give them the deduction now? The ultimate increase in the deficit over 5 years is very small.

□ 1445

Now, it is true that there's a time value of money. Not getting tax dollars today and getting them instead several years from now, that used to be thought of as a cost to the Treasury because you have to pay interest on the money the Federal Government borrows. But today the Federal Government is borrowing money for amazingly low interest rates, some at the rate of zero, and so the fact that we will get the tax dollars collected from businesses 2 or 3 years from right now, rather than immediately, scarcely increases the Federal deficit.

Another issue is net operating loss carryforwards and carrybacks. These are companies that made money during the last 5 years. Now they're losing money in 2008 or they're going to lose money in 2009. Current tax law allows them to write off those losses chiefly against money they make in 2011, 2012, future years. We should allow these companies to carry it back, to use these net operating loss deductions now to offset the taxes they paid in prior years.

First, I regard this as fair. Any accounting theorist will tell you that the use of the 1-year accounting period is arbitrary, that companies make and lose money in cycles. Business cycles often last many years, and so you cannot say that it is anything but artificial to say, well, you made money in 2007, you lost money in 2008. No, you made and lost money over a period of years that we have artificially divided into 12-month periods. So saying that you have to pay money on the taxes you made in 2007 but cannot get an immediate refund of those taxes when you discover that really over the 2-year period you've lost money is not consistent with good accounting theory. We should allow net operating loss carryback.

The other thing is these net operating loss deductions. They're going to be taken at some point. We might as well let them be taken now, and the ultimate increase in the deficit is very small.

So those are two provisions that I think will encourage business and will provide a lot more money in expenditures today than an ultimate increase in the deficit over a 5-year period.

So I look forward to working with my colleagues on economic policy. I will have more details of what I've talked about on the Web page, [bradsherman.house.gov](http://bradsherman.house.gov). This is the beginning of a dialogue on how to deal with the greatest economic crisis that we have faced in the lifetimes of all but the oldest Members of this body.



## FOREIGN POLICY

At this point, Mr. Chairman, I'd like to focus on foreign policy and particularly the Middle East. Again, I would point out that if there are colleagues that would like me to yield them a few minutes and they happen to be on the floor, they need only get my attention.

Now, I want to commend the Bush administration for its support of Israel during this difficult period. Now, the press, as is often the case, is beating up Israel due to its lack of understanding of what is happening and how to interpret it.

First, let us remember that over the last several years Hamas has sent nearly 7,000 rockets into Israel. That's 7,000 times they have attempted murder. But the press would have you believe that those attempts at murder don't count because most of them were unsuccessful. This is absurd. The malice is demonstrated by the attempted murder, and I use the term "murder" explicitly here because every one of those rockets was fired with only one intention: kill Israeli civilians. Not a single one of those rockets was targeted at anything military. The fact that they haven't killed 7,000 Israelis does not reflect well on their morality. It may reflect poorly on their aim.

Second, and this is under-covered by the press, the United Nations has stated that roughly three-quarters of the casualties in Gaza are of terrorists—military, gun-toting, Hamas terrorists. This is a true tribute to the tactics used by Israel because Israel has done everything possible to avoid civilian casualties. Hamas has done everything possible to increase civilian casualties. Again and again, they fire rockets from the middle of schools, from the middle of hospitals, from the middle of residential neighborhoods.

I mean, these people live very close to each other. Israel actually has the Gaza phonebook. They will call a house and say, We know military supplies are being stored there, we're going to hit this house, you've got 10, 20 minutes to leave. And what happens? Hamas forces civilians up to the rooftops.

Perhaps one of the best-known examples is the highest level Hamas individual to be killed by Israel. At his home he stored rockets and Israel knew it. He announced publicly that he wanted to be a martyr and that he, himself, would be at his home. And Israel called that home and said we want to avoid civilian casualties. We have to hit that home because we know that rockets are being stored there, you have time to leave. What did this Hamas leader do? He forced and brought together his four wives and their many children and insisted that he be allowed to die as a martyr and that as many of his family members would die as possible in order to increase civilian casualties.

Now, it is well-known that Israel is allowing trucks of supplies to get into Gaza. This is usually known by press critics who say Israel didn't allow a re-

supply truck in at this particular hour; they made the truck wait a couple of hours. Let us compare this to the wars we are most familiar with: World War I and World War II.

During each of those wars, Britain used its entire navy to cut off every German civilian from food imports and any other kind of import. And Germany deployed its submarines with the sole effort of depriving the British of the food imports they needed from chiefly the New World.

So, in the wars we're most familiar with, both the good and the bad side did everything possible to stop civilian supplies from getting into Germany or Britain. Compare that to an Israel that protects the trucks as they go in.

With that, I'd like to yield to the gentleman from Georgia (Mr. BROUN).

Mr. BROUN of Georgia. I thank the gentleman for yielding. I appreciate my Democratic colleague for bringing this very important issue to the forefront, and I support your effort to do so, and I trust that we across the aisle can continue to support Israel.

In the Torah, in the Old Testament of the Bible, we read: Blessed is the Nation that blesses Israel, and cursed is the Nation that curses Israel. We as a Nation have been extremely blessed by our creator, by God, and I believe a big part of that, a huge part of that is because we have blessed Israel and supported Israel. These people are under attack by terrorists who consider Jewish people dogs, less than human, and we need to support Israel.

I highly congratulate my Democratic colleague for bringing this forward, and I encourage our colleagues to continue to support Israel, to continue to do what we can to make sure that the Israeli citizens remain safe against these heinous attacks by Hamas, by Hezbollah, by the Iranian people who are funding both organizations. So we need to absolutely continue to support Israel so that God will continue to support America, and I congratulate my colleague for bringing this forward, and I look forward to working with you to continue to support Israel.

Thank you.

Mr. SHERMAN. I look forward to working with the gentleman from Georgia and thank him for his remarks.

Any discussion of the morality of war sometimes gets off on what I think is a sidelight. People always want to criticize this or that sergeant, this or that gunner; oh, you shouldn't have responded this way to rocks being thrown; oh, your attempt to return fire to a Hamas rocket site was off by 10 yards or 20 yards in the direction of a civilian location.

We have to remember, the moral responsibility for war and for the deaths of war cannot be placed at the feet of this or that sergeant making this or that decision under life-threatening conditions. The moral responsibility for war and for its casualties must be placed on politicians who seek extreme

and unjust objectives through violent means.

Here's a case where Hamas has earned its designation as a terrorist organization. Not only does it use terrorist means, but what are its objectives? They are stated very clearly. They are for the death or expulsion of every Jew from the Middle East. They refuse any change in that policy. So whether it is genocide or ethnic cleansing or more likely a combination of the two, these are the objectives of Hamas, being pursued by violent means. It is obviously the fault of the politicians of Hamas who seek these objectives that must be held responsible for the resulting carnage.

We need a sustainable, permanent cease-fire, not a 2-day resupply truce to allow Hamas to bring in more rockets.

Now, I think it's clear that this is not just a conflict between Israel and Hamas. It is a conflict between the Government of Iran and the people of the United States. The fighting in Gaza has demonstrated again that the ultimate adversary of the United States and its allies in the Middle East is the Government of Iran. Hamas is a terrorist organization seeking the destruction of Israel in favor of an Islamic Palestinian State, but it is also an Iranian proxy. As such, it is part of a regional war waged by the Iranian regime against the United States and its allies.

Many Hamas weapons are made in Iran, and many top Hamas military leaders and the experts who launch the missiles into Israel were trained in Iran. Iran also provides the group with significant funding. It is unlikely that Hamas would have been able to achieve its status as the premier Palestinian terrorist organization and thus provoke this crisis without Iranian backing.

Iran-backed Hamas, like Iran-backed Hezbollah, shoots rockets at Israeli civilians from deep inside their own densely populated civilian population, knowing that when Israel acts to defend itself innocent Palestinians will be among the victims.

Through Hamas, Hezbollah and its operatives in Iraq, Iran and its government are able to stir up crises in the Middle East, thus injuring American prestige while helping to achieve that government's own aims.

We know that Iran is working hard toward the possession of a nuclear bomb. This would allow Iran to act with impunity in the future. A nuclear Iran would go from provoking this crisis to that crisis, and we would have to go face-to-face with a nuclear power, each time hoping, hoping for the same results we saw in the Cuban missile crisis—that is to say, going eyeball-to-eyeball with a hostile nuclear power hoping we always have the same result, namely, some peaceful resolution.

□ (1500)

It only takes one crisis with a nuclear power that goes in the wrong direction to destroy an entire city or an entire country.

Furthermore, we should recognize that if the regime in Tehran ever finds itself on the verge of collapse—and many of us pray for that day—its leaders may decide to go out with a bang.

Preventing Iranian nuclear possession is critical to world peace, and we can still succeed in accomplishing that goal, but we have to act quickly. The good news is we have used only 1 percent of the tools that are available to us, and therefore we can do a lot more. The bad news is we've used only about 1 percent of the tools available to us. We have demonstrated a lack of political will to use the methods that we have to use to put pressure on the Iranian regime.

Now, President-elect Obama has a strong record of working to put pressure on the Iranian regime. He voted for the Lautenberg amendment, which would have prevented U.S. oil companies from doing business with Iran through their foreign subsidiaries. And he authored a bill that would have encouraged divestment from firms—chiefly oil companies—doing business with Iran.

He will have the ability, when he takes office, to go a long way toward increasing the price the Iranian Government pays for its stance on the nuclear issue and its support for terrorism. First, he can stop U.S. oil companies from using their overseas subsidiaries from doing business with Iran. We should also do that by legislation.

The administration can start enforcing the Iran Sanctions Act. We can demand that the World Bank stop dispersing funds to Iran in the form of concessionary loans which have not been effectively opposed by the current administration. We can deny nuclear cooperation agreements to countries that provide technologies to Iran. We can deny insurance to ships that carry cargo to Iran. And we can put economic pressure on American foreign companies seeking to build liquefied natural gas plants in Iran and those that sell refined petroleum—chiefly gasoline—to Iran.

Now, while Iran is oil rich, it needs to import nearly half its gasoline because it lacks refinery capacity. I'm here to bring to the House's attention one recent success. The Indian press is reporting that as a result of pressure that was initiated in the Congress, a major Indian petroleum refinery is halting its business dealings with Iran. I want to thank the several of my colleagues who joined with me in sending a letter to the U.S. Import-Export Bank to demand that EX-IM not provide loans to this particular Indian refinery as long as the Indian refinery was supporting Iran and providing it with the gasoline it needs.

I look forward to being able to convince Iranian elites that they face other economic and diplomatic isolation if they continue their nuclear program and continue their support for terror, and there are many other ways that we can achieve that objective. I

invite my colleagues again to see more details at [bradsherman.house.gov](http://bradsherman.house.gov).

#### SANCTITY OF HUMAN LIFE ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. BROWN) is recognized for 5 minutes.

Mr. BROWN of Georgia. Mr. Speaker, I believe that there is no greater moral issue that America faces that is more important than the killing of 4,000 babies every day through abortion. God cannot and will not continue to bless America while we're killing those innocent unborn children.

As we ring in the new year and begin the 111th Congress, the need to protect the unborn remains front and center in the national political debate. Each year, in keeping with my promise to my constituents and many around the country that the first bill that I will introduce provides constitutional protections to unborn children, today I'm honored to introduce the Sanctity of Human Life Act, H.R. 227, that defines life beginning at fertilization with the creation of a human zygote, a one-celled human being.

As a physician, I understand the medical and scientific truths that life begins at fertilization. I also understand that the entire abortion debate rests on the decision of when life begins. That's why my bill, among other things, says unequivocally that at the moment of fertilization, when this spermatozoa enters the cell wall of the oocyte and forms that one-celled human being, the zygote, that a human life begins and must be protected under law.

As James Madison wrote in Federalist 39, the form of our government must be "reconcilable with the fundamental principles of the revolution," the American Revolution. First among those principles is the right to life. If a nation will not protect the most innocent of human beings, who will we protect? Concerned citizens and lawmakers must keep this fundamental principle in mind as we work fervently to protect the rights of unborn children.

When I was a full-time doctor prior to coming to Congress, I served on the board of directors for a crisis pregnancy center in inner-city Atlanta, Georgia. We were fighting to save babies of underprivileged moms, many black moms in Atlanta. From a statistical standpoint, more black babies are being killed proportionately through abortion than white babies, and we were working to save those children.

I'm using the tools that my constituents have blessed me with to protect life and give constitutional protections to the innocent unborn. My bill, the Sanctity of Human Life Act, gives Republicans and Democrats alike who cherish life an opportunity to protect and defend the innocent and most defenseless among us.

We need to pass the Sanctity of Human Life Act. I encourage my col-

leagues to get on this bill, support this bill, bring it to the floor for a vote, and stop killing these unborn children so God will continue to bless America.

#### ELECTING MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES

Mr. LARSON of Connecticut. Mr. Speaker, by direction of the Democratic Caucus, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 24

*Resolved*, That the following named Members be and are hereby elected to the following standing committees of the House of Representatives:

(1) COMMITTEE ON APPROPRIATIONS.—Mr. Murtha, Mr. Dicks, Mr. Mollohan, Ms. Kaptur, Mr. Visclosky, Mrs. Lowey, Mr. Serrano, Ms. DeLauro, Mr. Moran of Virginia, Mr. Olver, Mr. Pastor, Mr. Price of North Carolina, Mr. Edwards, Mr. Kennedy of Rhode Island, Mr. Hinchey, Ms. Roybal-Allard, Mr. Farr, Mr. Jackson of Illinois, Ms. Kilpatrick of Michigan, Mr. Boyd of Florida, Mr. Fattah, Mr. Rothman, Mr. Bishop of Georgia, Mr. Berry, Ms. Lee, Mr. Schiff, Mr. Honda, Ms. McCollum of Minnesota, Mr. Israel, Mr. Ryan of Ohio, Mr. Ruppersberger, Mr. Chandler, Ms. Wasserman Schultz, Mr. Rodriguez, Mr. Lincoln Davis of Tennessee, Mr. Salazar.

(2) COMMITTEE ON ARMED SERVICES.—Mr. Spratt, Mr. Ortiz, Mr. Taylor, Mr. Abercrombie, Mr. Reyes, Mr. Snyder, Mr. Smith of Washington, Ms. Loretta Sanchez of California, Mr. McIntyre, Mrs. Tauscher, Mr. Brady of Pennsylvania, Mr. Andrews, Mrs. Davis of California, Mr. Langevin, Mr. Larsen of Washington, Mr. Cooper, Mr. Marshall, Ms. Bordallo, Mr. Boren, Mr. Ellsworth, Mr. Patrick Murphy of Pennsylvania, Mr. Johnson of Georgia, Ms. Shea-Porter, Mr. Courtney, Mr. Loebsack, Mrs. Gillibrand, Mr. Sestak, Ms. Giffords, Ms. Tsongas, Mr. Nye, Ms. Pingree of Maine, Mr. Kissell, Mr. Heinrich, Mr. Kravotil, Mr. Massa, Mr. Bright.

(3) COMMITTEE ON ENERGY AND COMMERCE.—Mr. Dingell, Mr. Markey, Mr. Boucher, Mr. Pallone, Mr. Gordon of Tennessee, Mr. Rush, Ms. Eshoo, Mr. Stupak, Mr. Engel, Mr. Gene Green of Texas, Ms. DeGette, Mrs. Capps, Mr. Doyle, Ms. Harman, Ms. Schakowsky, Mr. Gonzalez, Mr. Inslee, Ms. Baldwin, Mr. Ross, Mr. Weiner, Mr. Matheson, Mr. Butterfield, Mr. Melancon, Mr. Barrow, Mr. Hill, Ms. Matsui, Mrs. Christensen, Ms. Castor, Mr. Sarbanes, Mr. Murphy of Connecticut, Mr. Space, Mr. McNERNEY, Ms. Sutton, Mr. Braley of Iowa, Mr. Welch.

(4) COMMITTEE ON FINANCIAL SERVICES.—Mr. Kanjorski, Ms. Waters, Mrs. Maloney, Mr. Gutierrez, Ms. Velazquez, Mr. Watt, Mr. Ackerman, Mr. Sherman, Mr. Meeks of New York, Mr. Moore of Kansas, Mr. Capuano, Mr. Hinojosa, Mr. Clay, Mrs. McCarthy of New York, Mr. Baca, Mr. Lynch, Mr. Miller of North Carolina, Mr. Scott of Georgia, Mr. Al Green of Texas, Mr. Cleaver, Ms. Bean, Mr. Moore of Kansas, Mr. Hodes, Mr. Ellison, Mr. Klein of Florida, Mr. Wilson of Ohio, Mr. Perlmutter, Mr. Donnelly of Indiana, Mr. Foster, Mr. Carson of Indiana, Ms. Speier, Mr. Childers, Mr. Minnick, Mr. Adler of New Jersey, Ms. Kilroy, Mr. Driehaus, Ms. Kosmas, Mr. Grayson, Mr. Himes, Mr. Peters, Mr. Maffei.

(5) COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE.—Mr. Rahall, Mr. DeFazio, Mr. Costello, Ms. Norton, Mr. Nadler of New

York, Ms. Corrine Brown of Florida, Mr. Filner, Ms. Eddie Bernice Johnson of Texas, Mr. Taylor, Mr. Cummings, Mrs. Tauscher, Mr. Boswell, Mr. Holden, Mr. Baird, Mr. Larsen of Washington, Mr. Capuano, Mr. Bishop of Utah, Mr. Michaud, Mr. Carnahan, Mrs. Napolitano, Mr. Lipinski, Ms. Hirono, Mr. Altmire, Mr. Walz, Mr. Shuler, Mr. Arcuri, Mr. Mitchell, Mr. Carney, Mr. Hall of New York, Mr. Kagen, Mr. Cohen, Ms. Richardson, Mr. Sires, Ms. Edwards of Maryland, Mr. Ortiz, Mr. Hare, Mr. Boccieri, Mr. Schauer, Ms. Markey of Colorado, Mr. Griffith, Mr. McMahon, Mr. Perriello, Ms. Titus, Mr. Teague.

(6) COMMITTEE ON WAYS AND MEANS.—Mr. Stark, Mr. Levin, Mr. McDermott, Mr. Lewis of Georgia, Mr. Neal of Massachusetts, Mr. Tanner, Mr. Becerra, Mr. Doggett, Mr. Pomeroy, Mr. Thompson of California, Mr. Larson of Connecticut, Mr. Blumenauer, Mr. Kind, Mr. Pascrell, Ms. Berkley, Mr. Crowley, Mr. Van Hollen, Mr. Meek of Florida, Ms. Schwartz of Pennsylvania, Mr. Davis of Alabama, Mr. Davis of Illinois, Mr. Etheridge, Ms. Linda T. Sanchez of California, Mr. Higgins, Mr. Yarmuth.

Mr. LARSON of Connecticut (during the reading). Mr. Speaker, I ask unanimous consent that the resolution be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

#### IN SUPPORT OF ISRAEL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. ENGEL) is recognized for 5 minutes.

Mr. ENGEL. Mr. Speaker, I rise this afternoon in support of the beleaguered people of the State of Israel. I rise in support of the only democracy in the Middle East. I rise in support of the country in the Middle East that has the same values that our great country, the United States of America, has, principles of democracy and principles that are so important to every man, woman and child.

The people of Israel have for 60 years been vilified by undemocratic powers and by powers that would wish to destroy it. For the past several years, day in and day out the people of Israel have had to endure rocket attacks coming from the terrorist organization that runs Gaza called Hamas. Israel is supposed to just accept these attacks on its citizens and do little or nothing about it if you would listen to the United Nations, if you would listen to the international community, if you would listen to these hypocritical demonstrations going on in London and all the Arab capitals and everywhere else, and even some in the United States.

Every country, every government's primary responsibility is to protect its citizens, and the people of Israel and the Government of Israel should not be held to any other standard than that.

The terrorist organization that runs Gaza called Hamas, bought and paid for

by Iran, thinking that it can use terrorism as a way of somehow getting its state, must understand that in order to gain acceptance of nations in the free world, that it needs to renounce terror, that it needs to recognize Israel's right to exist, and that it needs to abide by all previous resolutions that were signed by the Palestinian Authority. It doesn't do it because it's a terrorist state. It doesn't do it because its vow is to destroy the Jewish State of Israel. It doesn't do it because, like Hezbollah and like Osama bin Laden and like al Qaeda, it thinks it can use terrorism to establish its aims and goals, but it cannot.

We stand in a bipartisan fashion with the people of Israel because if we in the United States had missiles being fired onto our innocent civilians from states across the border, we would move across the border and try to stop those terrorists from killing our people. That's what Israel is doing.

Many of us on the Foreign Affairs Committee this morning met with the Israeli ambassador and we saw a tape where Israel takes great precaution to try to prevent civilian casualties. But what Hamas does is it builds its bomb factories and it builds its terror weapons in the heart of the densely populated areas of Gaza and uses its own people as human shields. And so when the Israelis destroy these missile-making and bomb-making terror factories, innocent civilians very unfortunately get killed. But it is the Palestinians that support Hamas. It's the Hamas organization that is responsible for these killings. Israel has an absolute right to defend itself.

Now, we all want a cease-fire. We all want peace in the region. And we all know that ultimately peace will come when there is a two-state solution, an Israeli Jewish state and a Palestinian Arab state. The problem is most Israelis do accept the fact that there ought to be a Palestinian state, but the Palestinians, Hamas, does not accept the viability of Israel as a Jewish state.

And so let's put things in perspective here. If you have people that want to destroy you and want to kill you and don't recognize your right to exist, how can we have peace in the region?

We ought to note that Israel pulled out of Gaza several years ago and left Gaza to the Palestinians. And what did it get in return? It got missiles fired on its citizens in Syrot and other places in return for Israel leaving Gaza. The Palestinians used to say, well, it's the occupation, that's what drives everything. What occupation is there in Gaza? There is none. Israel has left Gaza. And the people of Gaza could have built a democratic government living in peace with its neighbors; instead, they chose to embrace terrorism and try to kill as many Israelis as they can.

So, in conclusion, Mr. Speaker, let me say that support for Israel in this Congress is strong and it is bipartisan

and will remain so because we understand that the democratic nation of Israel has a right to exist, and the government of Israel has a right to protect its citizens.

#### COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

HOUSE OF REPRESENTATIVES,  
OFFICE OF THE GENERAL COUNSEL,  
Washington, DC, January 6, 2009.

Hon. NANCY PELOSI,  
Speaker, House of Representatives,  
Washington, DC.

DEAR MADAM SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a civil subpoena, issued by the Superior Court for the District of Columbia, for the production of documents.

After consultation with the Office of General Counsel, I will make the determinations required by Rule VIII.

Sincerely,

DANIEL P. BEARD,  
Chief Administrative Officer.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BOUCHER (at the request of Mr. HOYER) for January 6 after 3:30 p.m. on account of family illness.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. SHERMAN) to revise and extend their remarks and include extraneous material:)

Mr. LANGEVIN, for 5 minutes, today.

Mr. ENGEL, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

(The following Members (at the request of Mr. POE of Texas) to revise and extend their remarks and include extraneous material:)

Mr. POE of Texas, for 5 minutes, January 14.

Mr. FRANKS of Arizona, for 5 minutes, January 8.

Mr. JONES, for 5 minutes, January 14.

(The following Members (at their own request) to revise and extend their remarks and include extraneous material:)

Mr. KENNEDY, for 5 minutes, today.

Mr. ROGERS of Alabama, for 5 minutes, today.

Mr. WOLF, for 5 minutes, today.

#### ADJOURNMENT

Mr. ENGEL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 14 minutes

p.m.), the House adjourned until tomorrow, Thursday, January 8, 2009, at 10 a.m.

### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

6. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Importation of Cattle from Mexico; Addition of Port at San Luis, AZ [Docket No.: APHIS-2007-0095] (RIN: 0579-AC63) received January 5, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7. A letter from the Secretary, Department of the Navy, transmitting notification of an increase in the Average Procurement Unit Cost (APUC) for the H-1 Upgrades Program that exceeds the current Unit Cost Report (UCR) baseline estimate by at least 15 percent, pursuant to 10 U.S.C. 2433; to the Committee on Armed Services.

8. A letter from the Chairman, Securities and Exchange Commission, transmitting the Commission's report and recommendations pursuant to Section 133 of the Emergency Economic Stabilization Act of 2008; to the Committee on Financial Services.

9. A letter from the Acting Assistant Secretary Energy Efficiency and Renewable Energy, Department of Energy, transmitting the Department's Annual Report on Federal Government Energy Management and Conservation Programs during Fiscal Year 2006, pursuant to 42 U.S.C. 6361(c); to the Committee on Energy and Commerce.

10. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting Copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b; to the Committee on Foreign Affairs.

11. A letter from the Assistant Secretary Legislative Affairs, Department of State, transmitting weekly reports relating to post-liberation Iraq under Section 7 of the Iraq Liberation Act of 1998, Pub. L. 105-338 for the reporting period of October 15, 2008 through December 15, 2008; to the Committee on Foreign Affairs.

12. A letter from the Assistant Administrator, Environmental Protection Agency, transmitting the Agency's 2008 competitive sourcing report, pursuant to Public Law 108-199, section 647(b); to the Committee on Oversight and Government Reform.

13. A letter from the Postal Regulatory Commission, Postal Regulatory Commission, transmitting the Commission's Report on Universal Postal Service and the Postal Monopoly; to the Committee on Oversight and Government Reform.

14. A letter from the Acting Administrator, Small Business Administration, transmitting the Administration's report on competitive sourcing for fiscal year 2008, pursuant to Public Law 108-199, section 647(b); to the Committee on Oversight and Government Reform.

15. A letter from the Chairman, Federal Election Commission, transmitting the Commission's final rule — Repeal of Increased Contribution and Coordinated Party Expenditures Limits for Candidates Opposing Self-financed Candidates received January 5, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on House Administration.

16. A letter from the General Counsel, Office of Justice Programs, Department of Justice, transmitting the Department's final rule — Public Safety Officers' Benefits Program [Docket No.: OJP (BJA) 1468] (RIN:

1121-AA75) received January 5, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

17. A letter from the Office of Public Information, Supreme Court of the United States, transmitting a copy of the embargoed 2008 Year-End Report on the Federal Judiciary; to the Committee on the Judiciary.

18. A letter from the Assistant Chief Counsel for General Law, Department of Transportation, transmitting the Department's final rule — Pipeline Safety: Polyamide-11 (PA-11) Plastic Pipe Design Pressures [Docket No. PHMSA-2005-21305] (RIN: 2137-AE26) received January 5, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

19. A letter from the Division Chief, Division of Legislation and Regulations, Department of Transportation, transmitting the Department's final rule — America's Marine Highway Program [Docket No.: MARAD-2008 0096] (RIN: 2133-AB70) received January 5, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

20. A letter from the Trail Attorney, Federal Railroad Administration, transmitting the Administration's final rule — Adjustment of Monetary Threshold for Reporting Rail Equipment Accidents/Incidents for Calendar Year 2009 [FRA-2008-0136] received January 5, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

### PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. MILLER of North Carolina (for himself, Ms. LINDA T. SANCHEZ of California, Mr. FRANK of Massachusetts, Mr. WATT, Mr. ELLISON, Ms. LEE of California, Mr. COURTNEY, Mr. BLUMENAUER, Mrs. CHRISTENSEN, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BUTTERFIELD, Mr. GRIJALVA, Ms. JACKSON-LEE of Texas, Mr. SIRES, Mr. CAPUANO, Mr. HINCHEY, Mr. GEORGE MILLER of California, Mr. STARK, Mr. JOHNSON of Georgia, Mr. DAVIS of Alabama, Mr. VAN HOLLEN, Ms. WASSERMAN SCHULTZ, Mr. COHEN, Ms. EDWARDS of Maryland, and Mr. LEWIS of Georgia):

H.R. 225. A bill to amend title 11 of the United States Code with respect to modification of certain mortgages on principal residences, and for other purposes; to the Committee on the Judiciary.

By Mr. PENCE (for himself, Mr. WALDEN, Mr. UPTON, Mr. BOEHNER, Mr. CANTOR, Mr. MCCARTHY of California, Mr. MCCOTTER, Mrs. McMORRIS RODGERS, Mr. SESSIONS, Mr. DREIER, Mr. CARTER, Mr. PRICE of Georgia, Mr. HENSARLING, Mr. ADERHOLT, Mr. AKIN, Mr. ALEXANDER, Mr. AUSTRIA, Mr. BACHUS, Mr. BARTLETT, Mr. BARTON of Texas, Mr. BILBRAY, Mr. BILIRAKIS, Mr. BISHOP of Utah, Mrs. BLACKBURN, Mr. BLUNT, Mr. BONNER, Mrs. BONO MACK, Mr. BOOZMAN, Mr. BOUSTANY, Mr. BRADY of Texas, Mr. BROWN of Georgia, Ms. GINNY BROWN-WAITE of Florida, Mr. BUCHANAN, Mr. BURGESS, Mr. BURTON of Indiana, Mr. CALVERT, Mr. CAMP, Mr. CAMPBELL, Mr. CHAFFETZ, Mr. COBLE, Mr. COLE, Mr. CONAWAY, Mr. CRENSHAW, Mr. CULBERSON, Mr. DAVIS of Kentucky, Mr. DEAL of Georgia, Mr. LINCOLN DIAZ-BALART of Florida, Mr. MARIO DIAZ-BALART of Florida, Ms. FALLIN,

Mr. FLAKE, Mr. FORBES, Ms. FOXF, Mr. FRANKS of Arizona, Mr. GALLEGLY, Mr. GARRETT of New Jersey, Mr. GERLACH, Mr. GINGREY of Georgia, Mr. GOHMERT, Mr. GOODLATTE, Ms. GRANGER, Mr. GRAVES, Mr. GUTHRIE, Mr. HALL of Texas, Mr. HASTINGS of Washington, Mr. HELLER, Mr. HERGER, Mr. HOEKSTRA, Mr. HUNTER, Mr. INGLIS, Mr. SAM JOHNSON of Texas, Mr. JOHNSON of Illinois, Mr. JONES, Mr. JORDAN of Ohio, Mr. KINGSTON, Mr. KIRK, Mr. KLINE of Minnesota, Mr. LAMBORN, Mr. LATTI, Mr. LEWIS of California, Mr. LINDER, Mr. LOBIONDO, Mr. LUCAS, Ms. LUMMIS, Mr. DANIEL E. LUNGREN of California, Mr. MACK, Mr. MANZULLO, Mr. MARCHANT, Mr. MCCAUL, Mr. MCCLINTOCK, Mr. MCHENRY, Mr. MCHUGH, Mr. MCKEON, Mr. MICA, Mr. MILLER of Florida, Mrs. MILLER of Michigan, Mr. MORAN of Kansas, Mr. TIM MURPHY of Pennsylvania, Mr. PAUL, Mr. PETRI, Mr. PITTS, Mr. PLATTS, Mr. POSEY, Mr. PUTNAM, Mr. REBERG, Mr. REICHERT, Mr. ROYCE, Mr. ROHRBACHER, Mr. SCALISE, Mrs. SCHMIDT, Mr. SCHOCK, Mr. SENSENBRENNER, Mr. SHADEGG, Mr. SHIMKUS, Mr. SHUSTER, Mr. SIMPSON, Mr. SMITH of Nebraska, Mr. SMITH of New Jersey, Mr. SMITH of Texas, Mr. SOUDER, Mr. STEARNS, Mr. SULLIVAN, Mr. TERRY, Mr. THOMPSON of California, Mr. TIAHRT, Mr. TIBERI, Mr. WAMP, Mr. WESTMORELAND, Mr. WILSON of South Carolina, and Mr. WOLF):

H.R. 226. A bill to prevent the Federal Communications Commission from repromulgating the fairness doctrine; to the Committee on Energy and Commerce.

By Mr. BROWN of Georgia (for himself, Mr. DEAL of Georgia, Mr. LINDER, Mr. GINGREY of Georgia, Mr. WESTMORELAND, Mr. KINGSTON, Mr. FLEMING, Mr. LUCAS, Mr. ALEXANDER, Mr. MCHENRY, Mr. BURTON of Indiana, Mr. LAMBORN, Ms. FALLIN, Mr. HERGER, Mr. JONES, Mr. TERRY, Mr. FRANKS of Arizona, Mr. CARTER, Mr. SAM JOHNSON of Texas, Mr. INGLIS, Mr. FORBES, Mr. HUNTER, Mr. WITTMAN, Mr. HENSARLING, Mr. WAMP, Mr. AKIN, Mr. KLINE of Minnesota, Mr. KING of Iowa, Mr. MANZULLO, Mr. BISHOP of Utah, Mrs. SCHMIDT, Mr. WILSON of South Carolina, Mr. BOOZMAN, Mr. NEUGEBAUER, Mr. ROGERS of Alabama, Mr. ROGERS of Kentucky, Mr. CONAWAY, Mr. MILLER of Florida, Mr. TIAHRT, Mr. BARRETT of South Carolina, Mr. RYAN of Wisconsin, Mr. EHLERS, Mr. BARTLETT, Mr. SCHOCK, Mr. GARRETT of New Jersey, Mr. ADERHOLT, Mr. ROONEY, and Mr. LATTI):

H.R. 227. A bill to provide that human life shall be deemed to begin with fertilization; to the Committee on the Judiciary.

By Ms. JACKSON-LEE of Texas:

H.R. 228. A bill to direct the Secretary of Veterans Affairs to establish a scholarship program for students seeking a degree or certificate in the areas of visual impairment and orientation and mobility; to the Committee on Veterans' Affairs.

By Mr. RYAN of Ohio (for himself and Ms. SUTTON):

H.R. 229. A bill to provide for the retention of the name of Mount McKinley; to the Committee on Natural Resources.

By Mr. CARDOZA:

H.R. 230. A bill to prevent foreclosure of home mortgages and increase the availability of affordable new mortgages; to the Committee on Financial Services.

By Mr. BACA (for himself and Mr. WOLF):

H.R. 231. A bill to require certain warning labels to be placed on video games that are given certain ratings due to violent content; to the Committee on Energy and Commerce.

By Ms. BALDWIN (for herself, Mr. INSLEE, Mr. HOLT, and Ms. LEE of California):

H.R. 232. A bill to provide for the creation of a Federal greenhouse gas registry, and for other purposes; to the Committee on Energy and Commerce.

By Ms. BALDWIN (for herself, Mr. POMEROY, Mr. ALEXANDER, and Mr. WALZ):

H.R. 233. A bill to amend the Federal anti-trust laws to provide expanded coverage and to eliminate exemptions from such laws that are contrary to the public interest with respect to railroads; to the Committee on the Judiciary, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. BERKLEY:

H.R. 234. A bill to provide for the conveyance of the Alta-Hualapai Site to the Nevada Cancer Institute, and for other purposes; to the Committee on Natural Resources.

By Mr. BERMAN (for himself, Mr. MCKEON, Mr. GRIJALVA, Mr. CHANDLER, Mr. SIRE, Mrs. CAPPS, Mr. ENGEL, Ms. DEGETTE, Mr. VAN HOLLEN, Mr. JOHNSON of Georgia, Mr. KLEIN of Florida, Mr. WAXMAN, Mr. SHERMAN, Mr. PALLONE, Mr. RODRIGUEZ, Ms. LINDA T. SANCHEZ of California, Mr. KENNEDY, Mr. FILNER, Mr. TIERNEY, Ms. WOOLSEY, Mr. REYES, Mr. MELANCON, Mr. RUPPERSBERGER, Mr. LEWIS of Georgia, Mr. FARR, Mr. BURTON of Indiana, Ms. HIRONO, Mr. ROTHMAN of New Jersey, Mr. SPACE, Ms. MCCOLLUM, Mrs. BIGGERT, Mr. PETRI, Ms. BORDALLO, Ms. SCHWARTZ, Mr. LARSON of Connecticut, Mr. CARNAHAN, Mr. MCCAUL, Mr. HOLT, Mr. CAPUANO, Mr. MICHAUD, Mr. MOORE of Kansas, Mr. HINCHEY, Mr. BROWN of South Carolina, Ms. SUTTON, Mr. KAGEN, Mr. MCCOTTER, Ms. SCHAKOWSKY, Mr. WILSON of South Carolina, Mr. ORTIZ, Mr. STARK, Mr. GEORGE MILLER of California, Mr. BACHUS, Mr. GALLEGLY, Mr. HELLER, Mr. DOGGETT, Mr. SCHIFF, Mr. HONDA, Mrs. TAUSCHER, Mr. BACA, Mr. YOUNG of Florida, Mr. GENE GREEN of Texas, Ms. CORRINE BROWN of Florida, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. PAUL, Mr. WELCH, Mr. CARNEY, Mr. BILBRAY, Mr. BOUSTANY, Mr. WU, Mr. CUELLAR, Mr. MATHESON, Ms. ZOE LOFGREN of California, Ms. BERKLEY, Ms. DELAULO, Mr. PATRICK MURPHY of Pennsylvania, Ms. HARMAN, Mr. VISCLOSKEY, Mr. ACKERMAN, Mr. KUCINICH, Mr. FORBES, Mr. LANGEVIN, and Mr. MURPHY of Connecticut):

H.R. 235. A bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions; to the Committee on Ways and Means.

By Ms. GINNY BROWN-WAITE of Florida:

H.R. 236. A bill to amend the Congressional Budget Act of 1974 to protect Social Security beneficiaries against any reduction in benefits; to the Committee on Rules, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. EMERSON:

H.R. 237. A bill to amend the Internal Revenue Code of 1986 to allow a refundable credit to military retirees for premiums paid for coverage under Medicare Part B; to the Committee on Ways and Means.

By Mrs. EMERSON:

H.R. 238. A bill to amend title II of the Social Security Act to provide for an improved benefit computation formula for workers affected by the changes in benefit computation rules enacted in the Social Security Amendments of 1977 who attain age 65 during the 10-year period after 1981 and before 1992 (and related beneficiaries) and to provide prospectively for increases in their benefits accordingly; to the Committee on Ways and Means.

By Mr. ENGEL (for himself and Mr. PAUL):

H.R. 239. A bill to impose requirements with regard to border searches of digital electronic devices and digital storage media, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GARRETT of New Jersey:

H.R. 240. A bill to amend the Internal Revenue Code of 1986 to repeal the alternative minimum tax on individuals; to the Committee on Ways and Means.

By Mr. GENE GREEN of Texas:

H.R. 241. A bill to amend title 10, United States Code, to require the amounts reimbursed to institutional providers of health care services under the TRICARE program to be the same as amounts reimbursed under Medicare, and to require the Secretary of Defense to contract for health care services with at least one teaching hospital in urban areas; to the Committee on Armed Services.

By Mr. GENE GREEN of Texas:

H.R. 242. A bill to direct the Secretary of Labor to revise regulations concerning the recording and reporting of occupational injuries and illnesses under the Occupational Safety and Health Act of 1970; to the Committee on Education and Labor.

By Mr. GENE GREEN of Texas:

H.R. 243. A bill to amend the National Labor Relations Act to require the arbitration of initial contract negotiation disputes, and for other purposes; to the Committee on Education and Labor.

By Mr. GENE GREEN of Texas:

H.R. 244. A bill to provide for the security of critical energy infrastructure; to the Committee on Energy and Commerce.

By Mr. GENE GREEN of Texas:

H.R. 245. A bill to preserve local radio broadcast emergency and other services and to require the Federal Communications Commission to conduct a rulemaking for that purpose; to the Committee on Energy and Commerce.

By Mr. GENE GREEN of Texas:

H.R. 246. A bill to amend the Immigration and Nationality Act to exempt elementary and secondary schools from the fee imposed on employers filing petitions with respect to non-immigration workers under the H-1B program; to the Committee on the Judiciary.

By Mr. GENE GREEN of Texas:

H.R. 247. A bill to amend section 1369 of title 18, United States Code, to extend Federal jurisdiction over destruction of veterans' memorials on State or local government property; to the Committee on the Judiciary.

By Mr. GENE GREEN of Texas:

H.R. 248. A bill to provide Capitol-flown flags to the families of deceased law enforcement officers; to the Committee on the Judiciary.

By Mr. GENE GREEN of Texas:

H.R. 249. A bill to direct the head of a Federal department or agency that is carrying

out a project involving the construction of a culvert or other enclosed flood or drainage system to ensure that certain child safety measures are included in the project; to the Committee on Oversight and Government Reform.

By Mr. GENE GREEN of Texas:

H.R. 250. A bill to require the Surface Transportation Board to consider certain issues when deciding whether to authorize the construction of a railroad line; to the Committee on Transportation and Infrastructure.

By Mr. GENE GREEN of Texas:

H.R. 251. A bill to prevent the nondisclosure of employer-owned life insurance coverage of employees as an unfair trade practice under the Federal Trade Commission Act, and for other purposes; to the Committee on Education and Labor, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GENE GREEN of Texas:

H.R. 252. A bill to provide that no more than 50 percent of funding made available under the Low-Income Home Energy Assistance Act of 1981 for any fiscal year be provided for home heating purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HASTINGS of Florida (for himself, Ms. MATSUI, and Ms. CORRINE BROWN of Florida):

H.R. 253. A bill to direct the Election Assistance Commission to make grants to States to carry out election administration improvement plans; to the Committee on House Administration.

By Mr. ISRAEL:

H.R. 254. A bill to change the date for regularly scheduled Federal elections and establish polling place hours; to the Committee on House Administration.

By Ms. JACKSON-LEE of Texas (for herself, Mr. CULBERSON, and Mr. CUELLAR):

H.R. 255. A bill to require the Secretary of the Treasury to mint coins in commemoration of the 50th anniversary of the establishment of the National Aeronautics and Space Administration; to the Committee on Financial Services.

By Ms. JACKSON-LEE of Texas:

H.R. 256. A bill to enhance Federal enforcement of hate crimes, and for other purposes; to the Committee on the Judiciary.

By Ms. JACKSON-LEE of Texas:

H.R. 257. A bill to prevent children's access to firearms; to the Committee on the Judiciary.

By Ms. JACKSON-LEE of Texas:

H.R. 258. A bill to prevent the President from encroaching upon the Congressional prerogative to make laws, and for other purposes; to the Committee on Oversight and Government Reform.

By Ms. JACKSON-LEE of Texas:

H.R. 259. A bill to amend title 23, United States Code, to establish national standards for State safety inspections of motor vehicles, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. JACKSON-LEE of Texas:

H.R. 260. A bill to authorize the Secretary of Energy to make loan guarantees for cellulosic ethanol production technology development; to the Committee on Energy and Commerce, and in addition to the Committee on Science and Technology, for a period to be subsequently determined by the Speaker, in

each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. JACKSON-LEE of Texas (for herself and Mr. THOMPSON of Mississippi):

H.R. 261. A bill to provide that no Federal funds may be used by the Secretary of Homeland Security to approve a site security plan for a chemical facility, unless the facility meets or exceeds security standards and requirements to protect the facility against acts of terrorism established for such a facility by the State or local government for the area where the facility is located, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. JACKSON-LEE of Texas:

H.R. 262. A bill to prevent hate crimes, to provide support services for victims of hate crimes, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Ways and Means, Energy and Commerce, Education and Labor, Oversight and Government Reform, House Administration, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. JACKSON-LEE of Texas:

H.R. 263. A bill to amend title 28, United States Code, to grant to the House of Representatives the authority to bring a civil action to enforce, secure a declaratory judgment concerning the validity of, or prevent a threatened refusal or failure to comply with any subpoena or order issued by the House or any committee or subcommittee of the House to secure the production of documents, the answering of any deposition or interrogatory, or the securing of testimony, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. JACKSON-LEE of Texas:

H.R. 264. A bill to amend the Immigration and Nationality Act to comprehensively reform immigration law, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Homeland Security, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. JACKSON-LEE of Texas:

H.R. 265. A bill to target cocaine kingpins and address sentencing disparity between crack and powder cocaine; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. JACKSON-LEE of Texas:

H.R. 266. A bill to authorize the Secretary of Homeland Security to establish a program to award grants to institutions of higher education for the establishment or expansion of cybersecurity professional development programs, and for other purposes; to the Committee on Science and Technology, and in addition to the Committees on Education and Labor, and Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of

such provisions as fall within the jurisdiction of the committee concerned.

By Ms. EDDIE BERNICE JOHNSON of Texas:

H.R. 267. A bill to amend the Internal Revenue Code of 1986 to expand the availability of the Internal Revenue Service's Taxpayer Assistance Centers; to the Committee on Ways and Means.

By Mr. JONES:

H.R. 268. A bill to amend title 10, United States Code, to ensure that every military chaplain has the prerogative to close a prayer outside of a religious service according to the dictates of the chaplain's own conscience; to the Committee on Armed Services.

By Mr. JONES:

H.R. 269. A bill to require the Department of Defense to grant access to accredited members of the media when the remains of members of the Armed Forces arrive at military installations in the United States; to the Committee on Armed Services.

By Mr. LATTA:

H.R. 270. A bill to amend title 10, United States Code, to provide for continuity of TRICARE Standard coverage for certain members of the Retired Reserve; to the Committee on Armed Services.

By Mr. LATTA:

H.R. 271. A bill to amend the Internal Revenue Code of 1986 to increase the standard charitable mileage rate for delivery of meals to elderly, disabled, frail and at risk individuals; to the Committee on Ways and Means.

By Mr. MEEK of Florida (for himself and Mr. CANTOR):

H.R. 272. A bill to amend the Internal Revenue Code of 1986 to provide incentives to encourage investment in the expansion of freight rail infrastructure capacity and to enhance modal tax equity; to the Committee on Ways and Means.

By Mr. MEEK of Florida (for himself, Mr. TIBERI, Ms. BERKLEY, and Mr. HERGER):

H.R. 273. A bill to amend the Internal Revenue Code of 1986 to modify the treatment of qualified restaurant property as 15-year property for purposes of the depreciation deduction; to the Committee on Ways and Means.

By Mr. WITTMAN:

H.R. 274. A bill to impose certain limitations on the receipt of out-of-State municipal solid waste, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MEEK of Florida (for himself and Mr. HERGER):

H.R. 275. A bill to repeal the imposition of 3 percent withholding on certain payments made to vendors by government entities; to the Committee on Ways and Means.

By Mrs. MILLER of Michigan:

H.R. 276. A bill to direct the Administrator of the Environmental Protection Agency to convene a task force to develop recommendations on the proper disposal of unused pharmaceuticals, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. MILLER of North Carolina (for himself, Mr. CONYERS, and Ms. LEE of California):

H.R. 277. A bill to provide an alternate procedure for the prosecution of certain criminal contempts referred for prosecution by the House of Representatives, and for other purposes; to the Committee on the Judiciary.

By Mr. MILLER of North Carolina:

H.R. 278. A bill to ensure that Congress is notified when the Department of Justice determines that the Executive Branch is not bound by a statute; to the Committee on the Judiciary.

By Mr. ORTIZ (for himself and Mr. GONZALEZ):

H.R. 279. A bill to amend the Palo Alto Battlefield National Historic Site Act of 1991 to designate the historic site as the Palo Alto Battlefield National Historical Park, to expand the boundaries of the park, and for other purposes; to the Committee on Natural Resources.

By Mr. PASCRELL:

H.R. 280. A bill to establish the Paterson Great Falls National Historical Park, and for other purposes; to the Committee on Natural Resources.

By Mr. ROSKAM:

H.R. 281. A bill to authorize the Securities and Exchange Commission to permit or require persons filing or furnishing information under the securities laws to make such information available on internet websites, in addition to or instead of including such information in filings with or submissions to the Commission, under such conditions as the Commission may specify by rule; to the Committee on Financial Services.

By Mr. SESTAK:

H.R. 282. A bill to prevent Members of Congress from receiving any automatic pay adjustment in 2010; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SPACE (for himself, Mr. RYAN of Ohio, Mr. WILSON of Ohio, Mrs. SCHMIDT, Mr. KUCINICH, and Ms. SUTTON):

H.R. 283. A bill to modify the boundary of the Hopewell Culture National Historical Park in the State of Ohio, and for other purposes; to the Committee on Natural Resources.

By Mr. SPRATT:

H.R. 284. A bill to direct the Secretary of the Interior to complete a special resource study of the site of the Battle of Camden, and for other purposes; to the Committee on Natural Resources.

By Mr. THOMPSON of California (for himself, Ms. WOOLSEY, and Mrs. TAUSCHER):

H.R. 285. A bill to authorize the Secretary of the Interior to create a Bureau of Reclamation partnership with the North Bay Water Reuse Authority and other regional partners to achieve objectives relating to water supply, water quality, and environmental restoration; to the Committee on Natural Resources.

By Mr. TURNER (for himself, Mr. RYAN of Ohio, and Mr. AUSTRIA):

H.R. 286. A bill to amend the Dayton Aviation Heritage Preservation Act of 1992 to add sites to the Dayton Aviation Heritage National Historical Park, and for other purposes; to the Committee on Natural Resources.

By Mrs. EMERSON:

H.J. Res. 6. A joint resolution proposing an amendment to the Constitution of the United States relating to voluntary school prayer; to the Committee on the Judiciary.

By Mrs. EMERSON:

H.J. Res. 7. A joint resolution proposing an amendment to the Constitution to provide for a balanced budget for the United States Government and for greater accountability in the enactment of tax legislation; to the Committee on the Judiciary.

By Mrs. EMERSON (for herself and Mr. BACHUS):

H.J. Res. 8. A joint resolution proposing an amendment to the Constitution of the United States authorizing the Congress and the States to prohibit the act of desecration of the flag of the United States and to set criminal penalties for that act; to the Committee on the Judiciary.



By Mr. GENE GREEN of Texas:

H.J. Res. 9. A joint resolution proposing an amendment to the Constitution of the United States to abolish the electoral college and to provide for the direct popular election of the President and Vice President of the United States; to the Committee on the Judiciary.

By Ms. JACKSON-LEE of Texas:

H.J. Res. 10. A joint resolution denouncing the practices of female genital mutilation, domestic violence, "honor" killings, acid burnings, dowry deaths, and other gender-based persecutions, expressing the sense of Congress that participation, protection, recognition, and equality of women is crucial to achieving a just, moral and peaceful society, and for other purposes; to the Committee on Foreign Affairs.

By Mrs. MILLER of Michigan:

H.J. Res. 11. A joint resolution proposing an amendment to the Constitution of the United States to provide that Representatives shall be apportioned among the several States according to their respective numbers, counting the number of persons in each State who are citizens of the United States; to the Committee on the Judiciary.

By Mrs. EMERSON:

H. Con. Res. 4. Concurrent resolution expressing the sense of Congress regarding the need to prevent the closure or consolidation of post offices; to the Committee on Oversight and Government Reform.

By Ms. JACKSON-LEE of Texas:

H. Con. Res. 5. Concurrent resolution expressing that Congress has the sole and exclusive power to declare war; to the Committee on Foreign Affairs.

By Ms. JACKSON-LEE of Texas:

H. Con. Res. 6. Concurrent resolution expressing the sense of Congress that the Government of Iraq should not grant blanket amnesty to persons known to have attacked, killed, or wounded members of the United States Armed Forces in Iraq; to the Committee on Foreign Affairs.

By Ms. JACKSON-LEE of Texas:

H. Con. Res. 7. Concurrent resolution expressing the sense of Congress that the people of the United States should grieve for the loss of life that defined the Third Reich and celebrate the continued education efforts for tolerance and justice, reaffirming the commitment of the United States to the fight against intolerance and prejudice in any form, and honoring the legacy of transparent procedure, government accountability, the rule of law, the pursuit of justice, and the struggle for universal freedom and human rights; to the Committee on Foreign Affairs.

By Ms. JACKSON-LEE of Texas:

H. Con. Res. 8. Concurrent resolution expressing the sense of Congress that a commemorative postage stamp should be issued honoring Barbara Charline Jordan; to the Committee on Oversight and Government Reform.

By Ms. JACKSON-LEE of Texas:

H. Con. Res. 9. Concurrent resolution expressing the sense of Congress that a commemorative postage stamp should be issued in honor of George Thomas "Mickey" Leland; to the Committee on Oversight and Government Reform.

By Ms. JACKSON-LEE of Texas:

H. Con. Res. 10. Concurrent resolution supporting the observance of World Stroke Awareness Day, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HOYER:

H. Res. 23. A resolution providing for the attendance of the House at the Inaugural Ceremonies of the President and Vice President of the United States; considered and agreed to.

By Mr. LARSON of Connecticut:

H. Res. 24. A resolution electing Members to certain standing committees of the House of Representatives; considered and agreed to.

By Mr. GENE GREEN of Texas:

H. Res. 25. A resolution expressing the support of the House of Representatives for the goals and ideals of National Internet Safety Month; to the Committee on Energy and Commerce.

By Mr. GENE GREEN of Texas:

H. Res. 26. A resolution expressing the sense of the House of Representatives that the United States Postal Service should issue a postage stamp commemorating Juan Nepomuceno Seguin; to the Committee on Oversight and Government Reform.

By Mr. GENE GREEN of Texas:

H. Res. 27. A resolution honoring the accomplishments and legacy of Juan Nepomuceno Seguin; to the Committee on Oversight and Government Reform.

By Ms. JACKSON-LEE of Texas:

H. Res. 28. A resolution expressing the sense of the House of Representatives that the Transportation Security Administration should, in accordance with the congressional mandate provided for in the Implementing Recommendations of the 9/11 Commission Act of 2007, enhance security against terrorist attack and other security threats to our Nation's rail and mass transit lines; to the Committee on Homeland Security.

By Mr. LATTA:

H. Res. 29. A resolution expressing the sense of the House of Representatives that any comprehensive plan to reform our national energy policy must promote the expanded use of renewable and alternative energy sources; increase our domestic refining capacity; promote conservation and increased energy efficiency; expand research and development, including domestic exploration; and, enhance consumer education; to the Committee on Energy and Commerce, and in addition to the Committee on Science and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LATTA:

H. Res. 30. A resolution expressing the sense of the House of Representatives that in order to continue aggressive growth in our Nation's telecommunications and technology industries, the United States Government should "Get Out of the Way and Stay Out of the Way"; to the Committee on En-

ergy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PRICE of North Carolina (for himself and Mr. STEARNS):

H. Res. 31. A resolution expressing support for designation of January 28, 2009, as "National Data Privacy Day"; to the Committee on Energy and Commerce.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. GENE GREEN of Texas introduced a bill (H.R. 287) for relief of Enrique Soriano and Areli Soriano; which was referred to the Committee on the Judiciary.

## ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 16: Mrs. BLACKBURN, Mr. HALL of Texas, Mr. GENE GREEN of Texas, and Mr. GORDON of Tennessee.

H.R. 31: Mr. SKELTON, Mr. WATT, Ms. CLARKE, and Mr. TIERNEY.

H.R. 72: Ms. WATSON.

H.R. 81: Mr. PALLONE and Mr. KING of New York.

H.R. 104: Mr. GUTIERREZ, Mr. SCOTT of Virginia, Mr. BOUCHER, Ms. BALDWIN, and Ms. WASSERMAN SCHULTZ.

H.R. 109: Ms. GINNY BROWN-WAITE of Florida.

H.R. 111: Mr. COURTNEY, Mr. BRADY of Texas, Mr. SMITH of New Jersey, Mr. KUCINICH, and Mrs. MILLER of Michigan.

H.R. 124: Mr. ROHRABACHER, Mr. POE of Texas, Mr. BLUNT, Mr. ROYCE, Mr. BILBRAY, Mr. MCCAUL, and Mr. MCCOTTER.

H.R. 137: Mr. CAMPBELL.

H.R. 138: Mr. ROHRABACHER, Mr. POE of Texas, Mr. ROYCE, Mr. BILBRAY, Mr. MCCAUL, and Mr. MCCOTTER.

H.R. 140: Mr. CAMPBELL and Mr. ROHRABACHER.

H.R. 143: Mr. BURGESS and Mr. WOLF.

H.R. 144: Mr. FATTAH, Mr. CAPUANO, and Mr. MORAN of Virginia.

H.R. 146: Mr. FALCOMA-VAEGA.

H.R. 156: Mr. KIND, Mr. LEE of New York, Mr. PERRIELLO, Mr. MASSA, Mr. DONNELLY of Indiana, and Mrs. BLACKBURN.

H. Res. 18: Mr. GRJALVA.

H. Res. 20: Mr. FORTENBERRY, Mr. SMITH of New Jersey, and Mr. MCCOTTER.

## PETITIONS, ETC.

Under clause 3 of rule XII,

1. The SPEAKER presented a petition of Platte County, relative to a resolution supporting the NCLB Recess Until Reauthorization Act; which was referred to the Committee on Education and Labor.



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 111<sup>th</sup> CONGRESS, FIRST SESSION

Vol. 155

WASHINGTON, WEDNESDAY, JANUARY 7, 2009

No. 2

## Senate

The Senate met at 11:30 a.m. and was called to order by the Honorable ROBERT P. CASEY, Jr., a Senator from the Commonwealth of Pennsylvania.

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, You are the source of light and peace, and we praise You for giving us blessings far beyond what we deserve. Thank You for the blessings of freedom and a government that seeks to empower people with liberty. Thank You for blessing us with lawmakers who strive to know what is right and to do it. Thank You also for the gift of forgiveness, for You daily meet our need for moral and spiritual renewal. Lord, use our Senators today. Show them Your path and teach them Your ways. Keep them so completely under Your rulership that they will do justly, love mercy, and walk humbly with You.

We pray in Your holy Name. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable ROBERT P. CASEY, Jr., led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, January 7, 2009.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable ROBERT P. CASEY, Jr., a Senator from the Commonwealth of Pennsylvania, to perform the duties of the Chair.

ROBERT C. BYRD,  
President pro tempore.

Mr. CASEY thereupon assumed the chair as Acting President pro tempore.

### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

### MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

Mr. REID. Mr. President, are we in a quorum call?

The ACTING PRESIDENT pro tempore. No, we are not. The majority leader is recognized.

MEASURES PLACED ON THE CALENDAR—S. 1, S. 2, S. 3, S. 4, S. 5, S. 6, S. 7, S. 8, S. 9, S. 10, S. 33, and S. 34

Mr. REID. Mr. President, it is my understanding there are 12 bills at the desk due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will report the bills by title for the second time.

The legislative clerk read as follows:

A bill (S. 1) to create jobs, restore economic growth, and strengthen America's middle class through measures that modernize the nation's infrastructure, enhance America's energy independence, expand educational opportunities, preserve and improve affordable health care, provide tax relief, and protect those in greatest need, and for other purposes.

A bill (S. 2) to improve the lives of middle class families and provide them with greater opportunity to achieve the American dream.

A bill (S. 3) to protect homeowners and consumers by reducing foreclosures, ensur-

ing the availability of credit for homeowners, businesses, and consumers, and reforming the financial regulatory system, and for other purposes.

A bill (S. 4) to guarantee affordable, quality health coverage for all Americans, and for other purposes.

A bill (S. 5) to improve the economy and security of the United States by reducing the dependence of the United States on foreign and unsustainable energy sources and the risks of global warming, and for other purposes.

A bill (S. 6) to restore and enhance the national security of the United States.

A bill (S. 7) to expand educational opportunities for all Americans by increasing access to high-quality early childhood education and after school programs, advancing reform in elementary and secondary education, strengthening mathematics and science instruction, and ensuring that higher education is more affordable, and for other purposes.

A bill (S. 8) to return the Government to the people by reviewing controversial "midnight regulations" issued in the waning days of the Bush Administration.

A bill (S. 9) to strengthen the United States economy, provide for more effective border and employment enforcement, and for other purposes.

A bill (S. 10) to restore fiscal discipline and begin to address the long-term fiscal challenges facing the United States, and for other purposes.

A bill (S. 33) to amend the Internal Revenue Code of 1986 with respect to the proper tax treatment of certain indebtedness discharged in 2009 or 2010, and for other purposes.

A bill (S. 34) to prevent the Federal Communications Commission from repromulgating the fairness doctrine.

Mr. REID. Mr. President, I object to any further proceedings with respect to these bills en bloc.

The ACTING PRESIDENT pro tempore. Objection is heard. The bills will be placed on the calendar en bloc.

### MEASURE READ THE FIRST TIME—S. 22

Mr. REID. Mr. President, S. 22 was introduced earlier today by Senator BINGAMAN. It is my understanding that

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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S153

is the case and is due for its first reading.

The ACTING PRESIDENT pro tempore. The clerk will report the bill by title for the first time.

The legislative clerk read as follows:

A bill (S. 22) to designate certain land as components of the National Wilderness Preservation System, to authorize certain programs and activities in the Department of the Interior and the Department of Agriculture, and for other purposes.

Mr. REID. Mr. President, I now ask for its second reading but object to my own request.

The ACTING PRESIDENT pro tempore. Objection is heard. The bill will be read a second time on the next legislative day.

#### ORDER OF BUSINESS

Mr. REID. Mr. President, I have notified a number of Members—I had a meeting with them at 9 o'clock this morning—that because of a Senator not allowing us to move forward on this legislation last night and throwing every procedural hurdle in the way of these bills, which is now in the form of one bill, we are going to have a vote Sunday morning in the Senate. So everyone should understand, Sunday morning we are going to have a vote in the Senate.

I have had a number of meetings with President-elect Obama. We have a lot to do. I spoke with Senator MIKULSKI right before coming in. I have spoken with Senator KENNEDY today. The Ledbetter legislation, to make things more fair for people, especially women, is the next piece of legislation we are going to move to after this bill. We have just a few days to do all this work.

As President-elect Obama has said, there are people out there who would love to work on Sunday. We are going to have to spend time on Saturdays, Sundays, and nighttime, especially during the first several months of this difficult time in which we find ourselves in this country. Everything that should be up is down. Alcoa is laying off 13,500 people today. The word is out that they expected about 400,000 jobs to be lost this month. They are reporting within the next few hours almost 700,000 jobs were lost this month. Do you think we can work a weekend, maybe take a Saturday vote or a Sunday vote? I think we better do that. Senators should cancel their travel plans this weekend.

I have a family just like everyone else does, and I would rather not be here this weekend. But I want everyone to understand—I am glad Republicans are on their retreat. That is important. We are going to have one later on. I hope the staff will alert them that on Sunday we are going to have a vote. I am sorry for the inconvenience, but as President-elect Obama has said, there are people out there who would like to be able to work on Sunday. They would like to work anytime; they don't have

jobs. Mr. President, 670,000 people this month have lost jobs. Think about that—670,000 people have lost jobs.

Mr. President I want to say just one thing. This is Senator BYRD's 50th anniversary. I spoke at some length yesterday about his record. I don't want this day to go by without having acknowledged the 50th anniversary of Senator BYRD's service in the Senate. Senators will be coming to the floor today to talk about Senator BYRD's 50 years of service. At a later time, we will put that into a document and have that available for the public and individual Senators.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. TESTER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### RECESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will recess until 2:15 p.m.

Thereupon, the Senate, at 12:33 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. CARDIN).

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

#### RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. CASEY. I ask unanimous consent that the Senate stand in recess subject to the call of the Chair.

There being no objection, the Senate at 2:15 p.m., recessed subject to the call of the Chair and reassembled 3:04 p.m., when called to order by the Presiding Officer (Mrs. McCASKILL).

The PRESIDING OFFICER. The Senator from Maryland.

#### ISRAEL AND GAZA

Mr. CARDIN. Madam President, a nation's first responsibility is to defend its citizens against hostile threats. The United States exercised that responsibility when the Taliban Government of Afghanistan supported terrorist attacks against our country. Israel has the responsibility to protect its citizens from Hamas terrorist attacks.

I am deeply saddened by the continued violence and loss of innocent lives on both sides of the Israel-Gaza border.

I strongly support Israel's right to defend its citizens against threats to its security and its existence. I wholeheartedly agree with President-elect Obama who defined the problem very clearly:

If somebody was sending rockets into my house, where my family slept at night I'm going to do everything in my power to stop that.

The recent military action in Gaza is in direct response to numerous rocket and mortar attacks from militants in the Hamas-controlled Gaza, which have killed and injured Israeli citizens and currently paralyzes the southern regions of Israel.

Southern Israel cities have been the target of over 4,000 rockets and thousands of mortar shells since 2001, the majority of which were launched after Israel withdrew from Gaza in August 2005. During the more recent 6-month truce, more than 215 rockets were launched at Israel. Hamas has been extending the range of its striking capability, with new rockets supplied by Iran. The Israeli Government now knows that Hamas had acquired rockets that can reach Ashdod and even the outskirts of Beersheba.

Hamas' willingness to extend its reach deeper into Israel and its overall failure to end attacks exacerbates the already fragile humanitarian situation for the residents of Gaza and undermines efforts to attain peace and security in the region. As a result of the fighting, Gaza City and its main medical center, Shifa Hospital, have been left without electricity and hospitals are pushed beyond their capacity to handle the number of victims. Hamas seems to care more about inflicting damage on Israel than the protection and welfare of its own citizens.

Hamas poses a critical challenge to the regional peace process. Labeled as a terrorist organization but holding seats in the Palestinian Government and acting as the controlling authority in Gaza, the organization's leaders encourage violence and cling to the belief that Israel itself should be destroyed. Questions remain as to whether or not the organization should even be included in peace negotiations, but the fact remains that the threat Hamas poses to Israel is an obstacle to any negotiation efforts.

I urge Israel and the Palestinians to take advantage of the current efforts to broker a sustainable cease-fire and a negotiated peaceful settlement. Any such cease-fire must include Hamas' ending its rocket and mortar attacks, recognize its neighbor's right to exist, renounce violence, and honor all past agreements in order to move toward a two-state solution based on mutual peace and security.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. KLOBUCHAR. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ECONOMIC STIMULUS

Ms. KLOBUCHAR. Madam President, we all know the American economy is in a challenged state. That is a nice

way of putting it. I spent about a week in December traveling around my State visiting 22 counties, meeting with people who had been working three jobs, had their hours reduced, were afraid they weren't going to be able to buy their grandkids Christmas presents. Letters coming to my office included a woman who said she inherited a small amount of money from her dad. She thought that would go to her daughter's wedding, but instead it was used to pay for her retirement because she had lost so much money from her retirement funds. We heard stories of a man and his wife who would put their daughters to bed at night and gather at the kitchen table, shaking their heads and wondering how they were going to make it. Those were the comments I heard when I was home in Minnesota in December.

I also saw some optimism and hope as I traveled the State and saw the growing energy economy and heard the enthusiasm for our new President-elect. Obviously, there was frustration with what has been going on with this administration for the past 8 years and how they have not had a forward-thinking plan for the economy. People have hope that is going to change.

I can tell there is widespread interest in the economic stimulus package proposed by the new President. There is widespread interest in my State for infrastructure spending, for the energy jobs. One thing I believe we need to devote some specific time to in the next few weeks—and I know the new President is interested in this—is the idea of looking not only at roads and bridges and infrastructure but to look at technological infrastructure, to figure out why we have had trouble competing with countries around the world.

When one talks to people in Park Rapids, MN, who go maybe a mile out of town, they can't get on the Internet or it costs them \$700 a month if they are going to do satellite, or they can be stuck with dial-up that is so slow they can hardly use it, you get to understand the need for better technological infrastructure. What I finally figured out, after this 22-county tour—I had been trying to figure out why some companies say they are offering Internet service. I finally figured out what the problem is. In many parts of my State, they may have Internet service, but it is either much too slow or much too expensive.

As a country we have ensured that every American has access to telephone service and electricity regardless of economic status. We must now do the same for broadband Internet access. Broadband not only creates educational and health care opportunities, it can create opportunities for businesses and employment that would otherwise not exist in rural communities.

In these tough economic times, broadband deployment creates jobs—not only the direct creation of jobs in the tech sector but also the creation of

even more indirect employment opportunities by increasing access to broadband.

After visiting 22 of Minnesota's counties, I convened a Broadband Roundtable in my State on December 29. I heard firsthand from people about the importance of making sure they have access to fast and affordable broadband. We have had success stories in our State, as well.

One story I heard when I was out in a small town in Minnesota—Sebeka—they began diversifying early into cutting-edge technologies, including fiber optic infrastructure, digital telephone switching, cable and satellite TV, broadband Internet service to 100 percent of their customers. They have a very high percentage—I think 70 to 80 percent—of people who are actually purchasing this high-speed Internet in a very small town in a remote area of Minnesota.

The government of Carver County, MN, is leading a collaborative effort to interconnect county facilities with cities, school districts, townships, and other entities in the development of high-speed communications.

Through a number of funding and technical assistance programs, Minnesota's Blandin Foundation's Broadband Initiative has worked in rural Minnesota communities to educate community leaders and to get these partnerships started.

Despite these local success stories, however, much more needs to be done. The overall reality is America has become an international laggard on broadband. In 2000, the United States ranked 4th among 30 nations surveyed in broadband subscribership, according to the Organization for Economic Cooperation and Development. Today, the United States is 15th on the list. So in the last 8 years, we have gone from 4th in the world to 15th in the world. That is not the kind of progress that is going to keep this country moving and get us back on track.

According to the International Telecommunications Union, the United States is now perched as 24th in the world in broadband penetration. Canada has a higher level of broadband penetration and digital opportunity than we do.

Broadband adoption in the United States does continue to grow—from 47 percent of homes in March 2007 to 55 percent in April 2008. But the figure is significantly lower for those living in rural America: only 38 percent.

Of course, we have to consider more than just access, as I noted earlier. We need to look at speed. We need to look at speed if we are going to compete with countries such as India and Japan.

So we have work ahead of us. All of us understand broadband is a critical infrastructure for the 21st century. By one estimate—to give you a sense of what we are talking about, jobs—every 1 percentage point increase in broadband penetration per year would lead to the creation of nearly 300,000 new

jobs. That is why it is essential that all communities, including our rural communities, have the opportunity to take advantage of the opportunities offered by this 21st-century infrastructure. I want these jobs in my State going to Thief River Falls or Lanesboro or Crookston instead of going off to other countries such as Japan and India. It is that simple. I want these jobs to stay in the United States. We have seen the challenge before to make sure our rural communities are not left behind as technology develops.

For example, there are still many Americans who can remember growing up in homes with no electricity and no telephone service. In 1935, about 80 percent of all homes and towns and cities in the United States had electricity, but fewer than 12 percent of farms in America had electricity, and only about 25 percent had telephone service, which was often unreliable.

In 1935, President Roosevelt created the Rural Electrification Administration, REA. The REA helped organize and support farmer-owned electric cooperatives to bring electricity to farms. By 1949—this was from 1935 to 1949—more than three-quarters of all farms in America had electricity. So with those standards that were put in place, it went from 12 percent to 75 percent. That is an amazing achievement during a time of crisis because people believed you could get this done.

The penetration of telephone service actually took longer. In 1949, only 36 percent of America's farms had telephone service. That year, a telephone amendment was added to the Rural Electrification Act, which made loan funds available to finance rural telephone systems. In just a little more than a decade, nearly 80 percent of farms had telephone service.

Even much of our modern transportation infrastructure—including paved roads and steel and concrete bridges—has come into existence only in the past 70 years, thanks to both the New Deal and President Eisenhower's Interstate Highway Program. Our broadband infrastructure presents us with the same challenge to make sure no one is left behind.

President-elect Obama understands that broadband must now be considered a basic part of our national infrastructure. He also understands that investment in our broadband infrastructure is essential to our long-term prosperity.

A few weeks ago, in a weekly address, President-elect Obama announced that a key part of his economic recovery plan would involve increasing broadband deployment and adoption, saying:

It is unacceptable that the United States ranks 15th in the world in broadband adoption.

On Monday of this week, I sent a letter to the President-elect applauding his efforts to include investment in our Nation's information infrastructure as

part of an economic stimulus package. I also asked that he consider these partnerships that we have seen work so well in our State, and that matching grants on the Federal level to work with the local communities would be one way to spur broadband development.

I finally asked him to look at the fact that this is not just about communities that have no access, it is also about communities that have bad access or slow access or too expensive access. If we really want to get the broadband infrastructure in place, we have to make it work for everyone, just as what Dwight D. Eisenhower did with the highway system in the 1950s, and just as President Roosevelt did with rural electrification in the 1930s and 1940s.

I believe any economic stimulus package must include mechanisms designed to bring affordable and fast broadband to this country. An economic stimulus package should fully fund the Broadband Data Improvement Act, which I cosponsored and which passed last Congress.

Any economic stimulus package, as I mentioned, must also fund matching grants for community-level partnerships that demonstrate strong cooperation among local governments, businesses, schools, health care, and others.

Finally, one aspect of the Nation's information infrastructure that may continue to elude us absent some type of Federal involvement is the creation of an advanced, interoperable communications network for public safety.

I still remember hearing when one of our police officers was shot and killed in St. Paul, MN, how those who were trying to apprehend the person, the murderer in this case, were trying to communicate. When they were up in the helicopter, they literally had to have multiple walkie talkies and telephones, sometimes six or seven, to try to match up with all the phone systems that were in use across the area.

Well, since then we have had improvements in the large metropolitan area of the Twin Cities in our interoperability, but we do not have that kind of matching and that kind of cooperation in the rural parts of our State, nor do we have it across the country.

The first responsibility of government is to protect its citizens. The fact that our Nation's police, fire, and other first responders, including those in our rural areas, still do not have access to such a network more than 7 years after the tragic events of September 11 is simply unacceptable. I believe consideration of this issue in the context of broadband stimulus measures may present the best chance to address this continuing problem.

I join the President-elect and so many in this Senate in calling for 21st-century technology to create jobs and help our economy be more robust and competitive in the long term. This is

about creating immediate jobs, and we can get that with technological infrastructure. But it is also about creating jobs in a way that leaves us with something that will actually move this economy forward.

This technological infrastructure, whether it be the electricity grid or whether it be the broadband I have spoken about today, is really our rural electrification. It is our interstate highway program. It is our generation's chance to build this infrastructure in a way that will fit the changing needs of this country and allow us to compete on the world stage.

Madam President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LEAHY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### TRIBUTE TO SENATOR ROBERT BYRD

Mr. LEAHY. Madam President, I couldn't help thinking today, as we were sitting in our weekly caucus—that the senior member of our party here in the Senate and the most senior Member of the Senate, and the senior Senator from West Virginia, the distinguished ROBERT C. BYRD, has now served 50 years which is an all time record as the longest serving Senator in our country.

I have had the privilege of serving beside Senator BYRD for 34 years and am proud to call him a very good friend. When I first came to the Senate as a new Member, it was ROBERT BYRD who took me aside and talked to me about the rules of the Senate. Senator BYRD took the time to speak about the rules and history of the Senate, but he also talked about the customs, and practices of this body. He spoke of the way you treat each other, and how you treat members of the other party. He also explained the customary order of recognition, the kinds of courtesies you use and the importance of taking into consideration the needs of another Senator.

Senator BYRD and I have sat here through inaugurations of Presidents, and we have traveled together to funerals of colleagues with whom we have served. His late wife, Erma, and my wife, Marcelle, were friends and would often ride together down to the Senate for Senate gatherings. I know I would always enjoy running into Erma and BOB in the grocery store in McLean, VA. After a while, we would tend to forget what it was we had gone to the store for because we would be catching up on the news of the Senate. Throughout it all, BOB BYRD has always had that great sense of what it means to be a Senator.

I said many times on the floor of this Senate that there are only 100 of us

who have the privilege at any given time to serve here and the American people. BOB BYRD has always understood that better than most of us ever will. We can be and should be the conscience of the Nation.

We are, above all, a Senate of reasonable men and women who live by very specific rules, and we hurt both the Senate and the country if we ignore those rules. So many times I have heard Senator BYRD, who would see us moving away from the rules which guide us, stand up to address the Chair and remind each one of us what it means to be a Senator, what it means to protect those principals and what it means to serve this country.

Senators come and go. All of us will at some time leave this body. But those Senators who do the most to uphold and keep the functions and history of the Senate alive are the ones who will make it a better place for the next generation of Senators. Senator BYRD has authored histories of this Chamber, but then he has also lived the history of this Chamber.

I salute my good friend from West Virginia. I look forward to serving with him for years to come.

Mr. ROCKEFELLER. Madam President, I rise today to honor a giant of the Senate, my colleague and the senior Senator from West Virginia, ROBERT C. BYRD.

Yesterday we watched a number of new Senators take an enormously important oath to serve our country and to defend our Constitution. I was included in taking that oath and I couldn't help but think of my new colleagues. If these new Senators are looking for an inspiration, a guiding light, or a model, the way that I did some years ago, they need look no further than the seat directly behind our distinguished majority leader.

In that seat they will find a man who took that same oath that we did 50 years ago today. Senator BYRD has taken that oath a total of nine times. He has cast more votes than anyone in the history of the Senate. He has held more leadership positions than anyone in the history of the Senate. He has served longer than anyone in the Senate. He has literally written the book on the Senate and lived the story of the Senate over five decades.

ROBERT C. BYRD is nothing short of a legend. However, 50 years ago today he was a young man from West Virginia who married a coal miner's daughter. He had spent 4 years in the West Virginia Legislature and 6 years in the U.S. House of Representatives.

No one could know in 1959 that he would be a legend in 50 years. What they did know was ROBERT CARLYLE BYRD was an ambitious self-starter who would put himself through law school while serving in the U.S. Congress.

They knew Senator BYRD was always willing to help a colleague and to provide advice and guidance.

In 1959 they knew ROBERT BYRD had married his grade school sweetheart—

Erma Ora—who would stand with him her entire life and was just as beloved as he was in West Virginia and in Washington. Senator BYRD always knew Erma's greatness saying she was not only his wife but his best counselor.

Speaking of West Virginia, the Senate knew from his first days here that he would advocate fiercely for the citizens of our State and throughout the years would bring prosperity to West Virginia.

While they knew these things in 1959, today we know Senator BYRD as the conscience of the Senate. We know him as the Senator with the greatest longevity. In West Virginia we now know him as the West Virginian of the 20th century and I am glad the Nation has had the opportunity to get to know Senator BYRD over these last 50 years.

I know my colleagues join me in congratulating Senator BYRD on a record-setting 50 years in the Senate. Senator, I wish you many more.

Mr. DURBIN. Madam President, I want to join Senator REID and all of my colleagues in congratulating Senator ROBERT BYRD on reaching yet another historic milestone in his lifetime of public service.

In the history of the U.S. Senate, only one Senator, ROBERT CARLYLE BYRD, has served for 50 years.

A half century of service to his State, our Nation, this institution, and our Constitution. That is a remarkable achievement and one that we are not likely to see again for a very long time.

Senator BYRD is, of course, a great student of history and the author of the definitive work on the history of the Senate. In fact, one could say that ROBERT C. BYRD is Senate history.

Senator BYRD has served with (not under, with) 11 Presidents—very soon to be 12 Presidents.

He was the first U.S. Senator ever to cast 15,000 votes, and he is the only Senator ever to cast 18,000 votes.

Senator BYRD has served as majority leader, and held more leadership positions than any Senator in history.

To help put the length of his service in perspective, consider a few facts:

When Senator BYRD cast his first vote in the Senate—on January 8, 1959—his colleagues included Senators John Kennedy and Lyndon Johnson. Vice President Richard Nixon was the Presiding Officer. Hawaii was not yet a State. And a state-of-the-art computer would have taken up half of the space of this Chamber and had roughly the same amount of computing power as a Palm Pilot.

He has been a candidate for election 13 times—10 times as a candidate for the Senate and 3 times as a candidate for the House. He won every time.

And he has become perhaps the most popular political figure in West Virginia history. He was named West Virginian of the Century by the residents of his home State.

Senator BYRD's recent reelection to this body is a testimony to West Vir-

ginians' enduring respect and admiration for this proud son of "the Mountain State."

It is an honor to serve with this giant of Senate history, and to share with him this milestone. Again, I commend him and congratulate him.

Madam President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. FEINSTEIN. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. FEINSTEIN. Madam President, I would like to offer my very sincere and heartfelt congratulations to the President pro tempore of this body, Senator ROBERT BYRD. He has served in the body for 50 years. I have had the privilege of working on the Appropriations Committee with him. There has been no one who has been more faithful to the Constitution, to the goals of the Senate or who has served this Senate more honorably. I wish to say congratulations, Mr. Chairman. May you have many more years.

#### LAWFUL INTERROGATION AND DETENTION ACT

Mrs. FEINSTEIN. Madam President, I would like to speak—and I am joined on the floor by my comember of the Intelligence Committee, Senator RON WYDEN, who will also speak on this issue—about the bill that Senators ROCKEFELLER, WYDEN and WHITEHOUSE and I introduced yesterday. It is the Lawful Interrogation and Detention Act.

I began this effort some time ago because I believe very strongly it is time to end the failed experiment at Guantanamo. It is time to repudiate torture and secret disappearances. It is time to end the outsourcing of coercive interrogations to outside contractors.

I believe it is time to return to the norms and values that have driven the United States to greatness since the days of George Washington but have been tarnished in the past 7 years. That is what both Senator WYDEN and I hope this bill will do.

I have sent a copy of it to President-elect Obama's transition team. I have had occasion to talk with him about it and indicated that we look to work closely with him.

What this bill would do is require the President to close the detention facilities at Guantanamo Bay within 12 months. The need to close this facility is clear. Along with the abuses at Abu Ghraib, Guantanamo has been decried throughout the world. It has helped our enemies recruit, it has reduced America's credibility worldwide, strained relationships with our allies, and created a misguided dual legal system.

Additionally, the Supreme Court now has ruled four times that the proce-

dures put in place at Guantanamo are illegal. First, in *Rasul v. Bush*, the Court ruled the administration could not hold detainees outside U.S. law on Guantanamo soil; second, *Hamdi v. Rumsfeld*, in which the Court ruled the Government could not detain a U.S. citizen without due process and struck down the executive's process of labeling detainees as unlawful enemy combatants; third, *Hamdan v. Rumsfeld*, in which the Court struck down the administration's process for trying detainees outside the civilian legal system or the Uniform Code of Military Justice; and most recently in *Boumediene*, in which the Court ruled that detainees must be afforded habeas corpus.

Guantanamo was explicitly created to be a separate and lesser system of justice, to hold people captured on or near the battlefield in Afghanistan indefinitely. In 7 years, it has produced three convictions, including Australian David Hicks—who agreed to a plea bargain to get off the island, and Osama bin Laden's driver, Salim Hamdan, whose sentence is almost already up.

The hard part about closing Guantanamo is not deciding to go do it; it is figuring out what to do with the remaining detainees. Under the Lawful Interrogation and Detention Act, the approximately 250 individuals now being held there would be handled in one of five ways.

No. 1, they can be charged with a crime and tried in the United States in the Federal civilian or military justice systems. These systems have handled terrorists and other dangerous individuals before and are capable of dealing with classified evidence and other unusual factors.

Second, individuals could be transferred to an international tribunal, if such a tribunal exists.

Third, detainees could be returned to their native countries or, if that is not possible, they could be transferred to a different country.

To date, more than 500 men have been sent from Guantanamo to the custody of other countries. Recently, Portugal and other nations have suggested they would be open to taking some of the remaining detainees as a way to help close Guantanamo. That is good news.

If there are detainees who cannot be charged with crimes or transferred to the custody of another country, there is a fourth option. If the Secretary of Defense and the Director of National Intelligence agree an individual poses no security threat to the United States, the U.S. Government may release him. This may work, for example, for the Chinese Uighurs remaining at Guantanamo. I believe five or six Uighurs have already been released. The District Court for the District of Columbia has ordered that the remaining 17 Uighurs be released into our country. That decision has been stayed upon appeal.

Finally, for detainees who cannot be addressed in any one of the other four



options, the executive branch could hold them under existing authorities provided by the law of armed conflict.

I believe these options provide sufficient flexibility to handle the 250 or so people now being held at Guantanamo. If the incoming Obama administration decides that other alternatives are needed, I hope they will come to the Congress, explain the specifics of the problem, and we will work toward a joint legislative solution.

The three other provisions in the legislation end parts of the CIA's secret detention and interrogation program.

Some of the details of the program are already publicly known, such as the use of waterboarding on three individuals some years ago. Other aspects remain secret, such as the other authorized interrogation techniques and how they are used.

There have been public allegations of multiple deaths of detainees in CIA custody. There was one conviction of a CIA contractor in the death of a detainee in Afghanistan, but other details remain classified.

But it is well known that on August 1, 2002, the Justice Department approved coercive interrogation techniques, including waterboarding, for the CIA's use. This, despite the fact that the Justice Department has prosecuted the use of waterboarding, and the State Department has decried it overseas.

The administration used what I believe to be faulty logic and faulty reasoning to say that waterboarding was not torture. In fact, it is.

We will never turn this sad page in our Nation's history until all coercive techniques are banned and are replaced with a single, clear, uniform standard across the U.S. Government. I cannot say that too strongly.

That standard established by this legislation is the interrogation set of protocols outlined in the Army Field Manual.

This is the field manual. It is not a casual document. It has been developed and revised over a period of time. It contains 19 specific interrogation techniques. They work for the military and operate under the same framework as the time-honored approach of the FBI. If the CIA would abide by its terms, it would work for the CIA as well.

These techniques were at the heart of former FBI Special Agent Jack Cloonan's successful interrogation of those involved in the 1993 World Trade Center bombing. They were also the tools used by Special Agent George Piro to get Saddam Hussein to provide the evidence that resulted in his death sentence.

We have powerful expert testimony that the Army Field Manual techniques work against terrorist suspects. The manual's use across the Government is supported by scores of retired generals and admirals, by GEN David Petraeus, and by former Secretaries of State and national security advisers of both parties.

Majorities in both Houses of Congress passed this provision last year as part of the fiscal year 2008 intelligence authorization bill. I offered that amendment, as I believe Senator WYDEN will remember, in the joint conference between the House and the Senate Intelligence Committees, and it was added to the bill.

It sends a clear message that we do not support coercive interrogations. But, regrettably, the President's veto of the bill stopped it from becoming law.

The President-elect agrees that we need to end coercive interrogations and to comply strictly to the terms of the Convention Against Torture and the Geneva Conventions. So we look forward to working with him to end this sad story in our Nation's history.

The third part of this legislation is a ban on contractor interrogators at the CIA. Now, this is interesting. Unlike the FBI, where FBI agents do their own interrogations, CIA agents do not carry out all their interrogations. They hire contractors to do so. As General Hayden has testified, the CIA hires and keeps on contract people who are not intelligence professionals and whose sole job is to break detainees and get them to talk.

Now, I firmly and staunchly believe that outsourcing interrogations, whether coercive or more appropriate ones, to private companies is a way to diminish accountability.

I also believe the use of contractors leads to more brutal interrogations than if they were done by Government employees.

Think about it. You can have a set of interrogation practices and, dependent upon who administers them and the length of time they are administered and the combination in which they are administered, they can have very different effects on an individual.

There are surely areas where paid contractors make practical and financial sense. Interrogation, a form of collecting intelligence, is not one of them.

The fourth and the final provision in this legislation requires that the CIA and other intelligence agencies provide notification to the International Committee of the Red Cross, the ICRC, of their detainees. Following notification, the CIA will be required to provide International Red Cross officials with access to detainees in the same way the military does.

Access by the ICRC is a hallmark of international law and is required by the Geneva Conventions. Access to a third party and the ICRC, in particular, was seen by the United States in 1947 as a guarantee that American men and women would be protected if they were ever captured overseas.

I believe it still remains that guarantee.

We remain a nation at war, and credible, actionable intelligence remains a cornerstone of our war effort. But this is a war that will be won by fighting smarter, not sinking to the depths of our enemies.

Our Nation has paid an enormous price because of these interrogations. They cast shadow and doubt over our ideals and our system of justice. Our enemies have used our practices to recruit more extremists. Our key global partnerships crucial to winning the war on terror have been strained. It will take time to resume our place as the world's beacon of liberty and justice. But I deeply believe, and the cosponsors believe, this bill will put us on that path and start the process.

So I urge its passage. I ask unanimous consent to have printed in the RECORD the history of this legislation and the matters it contains.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### LEGISLATIVE ACTIVITY ON GUANTANAMO AND CIA INTERROGATIONS

April 30, 2007: Introduced the first Senate legislation to close Guantanamo (co-sponsors: Dodd, Whitehouse, Kennedy, Clinton, Kerry).

July 11, 2007: Introduced amendment to close Guantanamo to the FY08 Defense Authorization bill. Amendment blocked from receiving floor consideration. (co-sponsors: Harkin, Dodd, Clinton, Brown, Bingaman, Kennedy, Whitehouse, Obama, Salazar, Durbin, Byrd, Biden, Hagel, Boxer, Feingold).

December 5, 2007: Offered amendment to restrict CIA to Army Field Manual interrogation techniques to the FY08 Intelligence Authorization conference report. Amendment adopted, passed in conference report by House and Senate, vetoed by President Bush March 8, 2008. (amendment co-sponsors: Hagel, Whitehouse, Feingold).

August 1, 2008: Introduced legislation restricting the CIA to the Army Field Manual, banning contractor interrogations, and providing access to detainees to the ICRC (co-sponsors: Rockefeller, Whitehouse, Hagel, Feingold, Wyden).

January 6, 2009: Introduced legislation to close Guantanamo, restricting the CIA to the Army Field Manual, banning contractor interrogations, and providing access to detainees to the ICRC (cosponsors: Rockefeller, Wyden, Whitehouse).

Mrs. FEINSTEIN. Now I will defer to my distinguished friend, my colleague, the Senator from Oregon, the Honorable RON WYDEN.

The PRESIDING OFFICER. The Senator from Oregon is recognized.

Mr. WYDEN. Madam President, I am very pleased to be able to be out on the Senate floor today with our incoming chair of the Intelligence Committee to discuss this legislation. Senator FEINSTEIN and I have sat next to each other on the Intelligence Committee now for I think about 8 years. We have talked about this issue on many occasions. I commend the Senator from California for all of her leadership.

This is the right way to start off our committee on breaking with the last 8 years of flawed policies that have been of dubious effectiveness and dubious legality. I am very pleased, honored to be one of our cosponsors, and I note that our outgoing chair, Senator ROCKEFELLER, is one of our cosponsors, and SHELDON WHITEHOUSE, the distinguished Senator from Rhode Island, is one of the cosponsors and is a great addition to our committee as well. So I

thank the chair for all of her leadership.

What I think Senator FEINSTEIN has touched upon, and very thoughtfully, is, if you share our view that it is possible to fight terrorism ferociously without compromising American laws or American values, you must, as Senator FEINSTEIN has correctly stated, you must be smarter in order to strike that balance in a dangerous world.

Regrettably, this administration has not been willing to show this sort of wisdom. All too often for the last 8 years the administration has engaged in complicated legal gymnastics to justify antiterrorism programs that, in my view, are of questionable effectiveness, questionable legality. Today, the incoming chair of our committee, Senator FEINSTEIN, is helping us with this important legislation. The Lawful Interrogation and Detention Act is helping us to right the balance and show the country that with smart antiterrorism policies we can effectively fight the war against terrorism and at the same time restore our moral authority and protect our values.

I will tell you, based on the information I have seen again and again, and what we are told by military leaders, these coercive techniques simply are not effective. General Petraeus, for example, has discussed with respect to soldiers in Iraq, that coercive techniques may be usable in terms of forcing someone to talk, but that does not necessarily mean the person will say something that protects American security.

Senator MCCAIN, our distinguished colleague from Arizona, has made much of the same point. Certainly, the use of these techniques in a number of instances can be detrimental to our national security. Certainly, the techniques have discouraged allies in the past from cooperating with us and, frankly, in my view, they serve as something of a recruiting poster for our enemies.

One of the areas I hope to pursue in the future, not as part of this legislation but working with our incoming chair, working with our ranking minority member, Senator BOND, and the administration of the President-elect, is I hope to be able to declassify a significant portion of the history of this program, particularly the legal underpinnings of this program, so the American people will actually be able to see that much of what has been done in the last 8 years simply is not as effective in the war against terrorism as the American people deserve.

Certainly, it is important to recognize that when Americans are captured abroad in the future, international standards of prisoner treatment, particularly the Geneva Convention, will sometimes be the only shield they have. These standards have evolved from hopeful ideals into widely observed rules of conduct, partly because the most powerful country on Earth has led by example.

Anytime our Government attempts to dodge these standards, it weakens them, and it increases the risk of abuse for our prisoners. The fact that our worst enemies have horrifying and barbaric methods for dealing with prisoners does not, in my view, make these methods useful or legitimate.

I am confident that President-elect Obama is not going to engage in many of the practices that we have seen in the last 8 years. But I certainly want to pass legislation that codifies these important principles and makes sure that none of his future successors engage in these practices. That means you have to make the laws plain; you have to make them strong. This legislation will make them plainer and stronger than they are today. I would submit that is essentially what Senator FEINSTEIN has been working for all these past years.

I want to mention a couple of the other provisions. I was struck by Senator FEINSTEIN's comment with respect to the use of contractor interrogators at the CIA. As Senator FEINSTEIN noted, we do not get to have a lot of open sessions in our Intelligence Committee. That is for obvious reasons; we are dealing with classified material. But I have felt, as Senator FEINSTEIN, very strongly about this topic and actually raised this concern with Admiral McConnell at his confirmation hearing to head our intelligence service. I remain concerned about this issue, and that provision in the Feinstein legislation is especially important, in my view, because interrogators must be accountable. Under the clear language with respect to these interrogators in the Feinstein legislation, that will be the case.

Finally, let me comment on the provision that closes the prison at Guantanamo. During the past 8 years, I was concerned about the potential impact of this legislation and this provision. I was concerned at that point because it was not clear to me that President Bush had a competent plan for dealing with all of the prisoners currently held there.

I was concerned that closing Guantanamo could simply lead to a massive upswing in extraordinary rendition. Fortunately, President-elect Obama is working on a different strategy for dealing with those prisoners at Guantanamo, so I no longer have the same concern that under his administration we would simply have prisoners handed over to foreign countries that would torture them. I have long believed that if you looked at the intent of the Bush administration in this area, they sought to create a prison at Guantanamo Bay that would be under U.S. control but beyond the reach of U.S. law. Now the Supreme Court has definitively ruled that constitutional protections apply to people at Guantanamo Bay. So I would hope that even the prison's strongest advocates would say it serves no useful purpose.

The combination of the clear language in the Feinstein legislation we

discuss today and that President-elect Obama is looking at a comprehensive plan for dealing with the prisoners at Guantanamo leaves me with a reassurance that there is a chance to close this prison and do it in a responsible fashion that will protect America's national security interests.

There are four of us who are sponsoring this legislation. We have sought for many months to get these issues of interrogation and Guantanamo right. We have consistently tried to pursue this in a bipartisan fashion. We are going to continue to do so in this session.

I believe, under the leadership of our incoming chair, it is going to be possible to get our Nation's counterterrorism program back on a firm legal and operational footing and prevent the mistakes of the past from being repeated.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Madam President, I thank the Senator. We are both westerners. We did sit together for about 8 years on the committee. As such, I have had a chance to discuss a great deal about this topic. It is a matter of very deep conscience and a sense of values of everything this Nation stands for, the thing that sets us apart from many other countries who pick people up and do horrible things to them. We don't do that. We have always had such pride in that. The Senator hit a nail on the head. People may talk, but they can say anything they want. It is not necessarily valuable. It is not necessarily actionable intelligence. Sometimes it might be. But there are other ways of doing this and not sacrificing the values we hold dear. The nearest tool to achieve that is the Army Field Manual.

It has been great for me to work with the Senator from Oregon, and I look forward to working with him in the future. I thank him very much.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WHITEHOUSE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WHITEHOUSE. Madam President, I ask unanimous consent that I be allowed to speak for such time as I may consume in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WHITEHOUSE. Thank you, Madam President.

I come to the floor today to offer my support for S. 147, the Lawful Interrogation and Detention Act, which my very distinguished colleagues, Senator FEINSTEIN of California and Senator WYDEN of Oregon, have just spoken about.

This bill would do three very important things. The first is force the closing of the interrogation and detention activities at the Guantanamo Base. I have supported previous legislation that would do this. I enthusiastically support this legislation to do it.

The Bush administration has created a pretty significant mess with the activities down at Guantanamo. Unfortunately, some things you can snarl up so tightly that it becomes very difficult to unsnarl them, and I am afraid that is exactly the situation with Guantanamo. It will be difficult to unsnarl. It is a real challenge for the incoming administration. But it is vital that we do so because it has become a symbol to the rest of the world of America's departure from our core principles. So I am enthusiastically in support of that provision.

Another provision would restrict our interrogation activities to those techniques that are permitted under the Army Field Manual. In effect, it would end our embrace of enhanced interrogation techniques—indeed, torture.

In support of this notion, I would cite GEN David Petraeus, the Commander of the Multi-National Force in Iraq in 2007, who at the time wrote a letter to all U.S. military forces in Iraq. In that letter, he said this:

Some may argue that we would be more effective if we sanctioned torture or other expedient methods to obtain information from the enemy. They would be wrong. Beyond the basic fact that such actions are illegal, history shows that they also are frequently neither useful nor necessary. Certainly, extreme physical action can make someone "talk;" however, what the individual says may be of questionable value. In fact, our experience in applying the interrogation standards laid out in the Army Field Manual . . . shows that the techniques in the manual work effectively and humanely in eliciting information from detainees.

We have heard arguments that, well, you can't really rely on military interrogators. They don't really know what they are doing. They are amateurish. They need the limitations of the Army Field Manual. By contrast, the interrogators of the CIA and of our intelligence community are experts and much more sophisticated and adept and don't need to have the Army Field Manual restricting them, as if it is some sort of a learner's permit for interrogation.

If you look at the facts, the reverse is actually true. It is the military that has officers with literally decades of experience interrogating enemy prisoners, interrogating enemy prisoners in situations where their fellow soldiers' lives are on the line, where men and women will die or live because of the information they are able to elicit. Notwithstanding those high stakes, they live by the terms of the Army Field Manual. By contrast, we know that the CIA really did not know much about interrogations, that when they got into the business, they had to learn about it. The place they chose to learn was from the SERE Program, a pro-

gram designed to train American soldiers, airmen, sailors and marines who are likely to be captured by enemies that engage in torture how to be prepared for that, how to withstand it. So for training purposes, to prepare them for these ordeals, they used the interrogation techniques of despot, tyrant nations—North Korea, Communist China, Soviet Russia. For some reason, that was where our intelligence community thought it needed to go for expertise in how you interrogate prisoners, never minding the fact that the purpose of those despot regimes was not to interrogate prisoners and get actionable intelligence information; it was to torture those prisoners so they would say things and produce propaganda for those tyrant regimes.

So the notion that the military is a bunch of amateurs in intelligence who need the constraint of the Army Field Manual to prevent them from making amateur errors and the CIA is a bunch of clever, crafty experts who can operate at a graduate level for all of this is absolutely backward.

The damage that has been done to our country by this decision is, in my opinion, incalculable. When I think of the choice that was made to go this road, I am reminded of a phrase of Winston Churchill's. He describes a bad and dangerous decision that leads to worsening consequences in this way. He describes it as going down "the stairway which leads to a dark gulf. It is a fine broad stairway at the beginning, but after a bit the carpet ends. A little farther on, there are only flagstones, and a little farther on still these break beneath your feet." That is where we stand now, in this dark, descending stairway, with flagstones crumbling beneath our feet and the world looking on in horror at our departure from our core principles. I believe this legislation will help turn us back away from that dark and descending stairway, back into the light of our own best principles and the good will of our fellow nations.

America has not only suffered grievous and lasting harm from this administration's embrace of torture but also from this administration's embrace of torture's handmaiden. Torture's handmaiden, of course, is secret detention.

The bill Senator FEINSTEIN and Senator WYDEN are proposing would require the International Committee for the Red Cross to have access to any prisoners held by the intelligence agencies. The ICRC has been visiting detainees in connection with armed conflict since 1915, nearly a century. In 2007, the ICRC visited over half a million detainees in 77 different countries to ensure respect for their life, dignity, and fundamental right to judicial guarantees. All of those notions are enshrined in our own Constitution. They are our national bedrock.

Thirty-eight retired military leaders, distinguished generals and admirals, have concluded that the ICRC access to

prisoners held by our Government is a "critical measure to ensure continuing respect for the norm that [ICRC] access must be provided to all captives in wartime." This letter comes from battle-field warriors and intelligence officers who participated in every major American conflict from World War II until today. One of them, less than 3 years ago, was a member of our Joint Chiefs of Staff. They understand that this is important, and they understand why.

If we go down the corridors of history and survey the evil practices of tyrant regimes, we find one of their most notorious methods of coercion and subjugation is holding prisoners secretly and incommunicado. From the oubliettes of the Bourbon Kings of France to Calcutta's Black Hole, from the Gestapo's secret prisons to the Soviet gulags, from medieval dungeons to the bamboo cages of the Cambodian killing fields, secret and anonymous imprisonment has always been the hallmark of the despot. And now the Bush administration has stamped America with this shameful mark.

Our military leaders who are in the best position to judge are pushing back and saying "enough." Why do they do that? I think they do that because they are not beguiled by the force of arms. They live with the likelihood of armed conflict, of injuries, of fatalities. They understand that we engage in that to defend principles, and to give away those principles without a shot fired accomplishes the very harm that we have a military, that we have intelligence services to protect us from.

What is it, we ask ourselves, that makes our country great? Whence cometh our strength? For centuries, America has been called a "shining city on a hill." We are a lamp in the darkness to other nations. One of our greatest Senators, our friend TED KENNEDY, on the occasion of I believe his 15,000th vote in this institution said America is not a land, it is a promise. Torture, anonymous detention, and secret cells break that promise, extinguish that lamp, and darken that city on a hill.

Our strength as Americans comes from the fact that we stand for something. Our strength comes from the aspirations of millions of people around the globe who want to be like us, who want their country to be like ours, who want to believe in what we believe in. Our strength comes when we embody the hopes and dreams of mankind. Our strength comes, as President Clinton said, not from the example of our power but from the power of our example.

I believe Senator FEINSTEIN's legislation will restore across this darkening world the power of America's example, turn us back from that dark and descending stairway, and restore us to the place where America belongs as an ideal and an example for other nations. I appreciate Senator FEINSTEIN's hard work in putting this legislation together. I appreciate the support of Senator WYDEN.

Many months ago, I offered the first amendment in the Intelligence Committee that would apply the Army Field Manual to interrogation techniques used by our intelligence agencies, and Senator FEINSTEIN was kind enough to cosponsor that amendment. We worked together in conference to get that amendment passed into legislation that was subsequently vetoed. I submitted the International Committee of the Red Cross access provision last year.

I cannot find words strong enough to explain the strength of my view about the things we sacrifice for whatever small, short-term, tactical intelligence advantage we may achieve from torture and secret cells, assuming there even are any. Most intelligence professionals believe that what you get from torture is people who will say anything to get away from the pain. But let's assume there is some value to it for the sake of argument. I cannot find words strong enough to explain how overwhelmed that small tactical value is by the loss of our reputation and our standing and the confidence and trust of our friends and allies when we engage in behaviors that have been associated with despots and tyrants and the worst of history's regimes.

Let's put this behind us. Let's support this bill. As we go through this time of transition in American Government, let's also go through a time of transition in America's reputation in the world.

I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. PRYOR). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HARKIN. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. CANTWELL). Without objection, it is so ordered.

#### TRIBUTE TO SENATOR ROBERT BYRD

Mr. HARKIN. Madam President, I want to join my colleagues today in honoring the extraordinary service and accomplishments of the senior Senator from West Virginia, the Honorable ROBERT C. BYRD. It was exactly 50 years ago today, on January 7, 1958, that he was first sworn into the Senate. Senator BYRD is the longest serving Senator in U.S. history, and he truly is a living legend in this institution that he loves so dearly and defends so fiercely.

The Almanac of American Politics says: ROBERT BYRD "may come closer to the kind of Senator the Founding Fathers had in mind than any other."

I couldn't agree more. He is a person of wise and mature judgment, a patriot with a deep love of his country. He is passionately loyal to the Constitution and a fierce defender of the role and prerogatives of Congress and the Senate in particular.

Senator BYRD was once asked how many Presidents he had served under. He answered that he had not served under any President, that he had served with 10 Presidents as a proud member of a separate and coequal branch of Government. During his five decades in this body, Senator BYRD has witnessed many changes our country has gone through. Think about it. Our population since 1958 has grown by 125 million people. There have been new technologies.

I was thinking about this. In 1958, I graduated from high school in Des Moines, IA. The year before the Russians had launched Sputnik, and we were trying to catch up. We had not established ourselves in space. I was out of high school that summer, getting ready to go to college. I found a job working on this new construction project called the interstate highway system which was just beginning at that time. Jet air travel was just starting. I remember my first flight. The airplane was propeller driven. We didn't have jet aircraft. There were some in the military, but it hadn't started for commercial air travel at that time. We had no computers, no cell phones, and nine out of ten TV sets were black and white. That was 1958, the year ROBERT BYRD came to the Senate. There have been many changes that have happened over the last 50 years.

Across this half century of rapid change, there has been one constant—Senator BYRD's tireless service to this country, his passion for helping bring new opportunities to the people of West Virginia, and his dedication to this institution, the Senate of the United States.

Senator BYRD is a person of many accomplishments and a rich legacy. But above all, I will mention his commitment to improving public education and expanding access to higher education, especially for kids from poorer families. As many of my colleagues know, ROBERT C. BYRD was raised in the hardscrabble coalfields of southern West Virginia. That is one thing he and I have always talked about. My father was a coal miner also in the State of Iowa. His family was poor but rich in values and faith. His parents nurtured in ROBERT BYRD a lifelong passion for education and learning. He was valedictorian of his high school class but too poor to go to college right away. Those were the days before Pell grants and Byrd scholarships. So he worked as a welder in a shipyard, later as a butcher in a coal company town. It took him 12 years to save enough money to start college. He was a U.S. Senator when he earned his law degree.

No other Member of Congress before or since has started and completed law school while serving in the Congress. But degrees don't begin to tell the story of the education of ROBERT C. BYRD. He is the ultimate lifetime learner. It is as though for the last 50 years he has been enrolled in the Rob-

ert C. Byrd school of continuing education. You won't get a better, more thorough education at any school, Harvard, Yale, or anywhere else.

Senator BYRD's erudition has borne fruit in no less than nine books he has written and published over the last two decades. He literally wrote the book on the Senate, a masterful four-volume history of the institution that has become a classic. What my colleagues may not know is that he also authored a highly respected history of the Roman Senate. For those of us who have been here—in my case 24 years—we have listened, either here on the floor or later when we got television, on closed circuit in our offices, to the many speeches ROBERT BYRD gave about the Roman Senate, wonderful descriptions of the Roman Senate and how it operated. We could hear how he weaved in the operations of our own Senate. There are some who think ROBERT C. BYRD actually served in the Roman Senate. But that part of the BYRD legend I can absolutely say is not true.

I have talked at length about Senator BYRD's education because it explains why he is so passionate about ensuring that every American has access to quality public education, both K-12 and higher. The one thing Senator BYRD and I have in common is our fathers were coal miners with very little formal education. Coming from a poor background, Senator BYRD believes, as do I, that a cardinal responsibility of Government is to provide a ladder of opportunity so that everyone, no matter how humble their background, has a shot at the American dream. I said ladder of opportunity; I didn't say an escalator. On an escalator, you get a free ride. You get on and you get a free ride. But with a ladder of opportunity, you still have to exert energy and effort and responsibility to get to the top. But with that ladder there have to be rungs so you can actually climb.

The most important rungs on that ladder of opportunity involve education, early childhood education, Head Start programs, quality K-12 public schools, access to college and other forms of higher education. During my 24 years in the Senate, no one has fought harder for public education than Senator ROBERT BYRD. As chairman of the Appropriations Committee, he has been the champion of education at every turn, fighting to reduce class size, improving teacher training, bringing new technologies into the classroom, boosting access to higher education.

In 1985, my first year in the Senate, he created the only national merit based college scholarship program funded through the U.S. Department of Education. Congress later named them in his honor. Originally, the Byrd scholarships consisted of a 1-year \$1,500 award to outstanding students. Today, Byrd scholarships provide grants of up to \$6,000 over 4 years. How many kids

of meager means, coming from low-income families but very bright, very capable, have received these Byrd scholarships which got them through college.

Senator BYRD has also been outspoken in challenging the current administration for failing to keep its commitments under the No Child Left Behind Act. To the last fiscal year, No Child Left Behind has been underfunded since 2002, when it first came into existence. It has been underfunded by over \$70 billion.

Think what that would mean for our local school systems in America had we kept our commitment to funding No Child Left Behind. But I will tell you this: It would have been a lot worse if Senator BYRD had not been here on our Appropriations Committee, either as chairman or ranking member, sponsoring the key amendments to boost the funding above what the Bush administration had proposed.

Senator BYRD is a great student of literature, and I am sure he knows "The Canterbury Tales"—probably a lot of it by heart, as he knows a lot of things by heart, by memory. Describing the Clerk of Oxford, Chaucer might just as well have been describing ROBERT C. BYRD. Here is what Chaucer said about the Clerk of Oxford:

Filled with moral virtue was his speech;  
And gladly would he learn and gladly teach.

Madam President, Senator BYRD is a great Senator, a great American, a great friend. He has both written our Nation's history and left his mark on it.

It has been an honor to serve both in the Senate and on his Committee of Appropriations with Senator BYRD for the last 24 years. The good people of Iowa have now reelected me, so I will be here for another term. I look forward to serving with Senator BYRD in this body and on the Appropriations Committee for many years to come.

So today on this historic anniversary, we honor his service, we express our respect and our love for this very remarkable Senator, ROBERT C. BYRD, from the great State of West Virginia.

Madam President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. WHITEHOUSE). Without objection, it is so ordered.

#### OMNIBUS PUBLIC LAND MANAGEMENT ACT OF 2009 RULE XLIV COMPLIANCE

Mr. BINGAMAN. Mr. President, pursuant to rule XLIV of the Standing Rules of the Senate, I hereby certify

that, to the best of my knowledge and belief, the Omnibus Public Land Management Act of 2009 does not contain any limited tax benefits, limited tariff benefits, or congressionally directed spending items, as those terms are defined in rule XLIV.

Rule XLIV broadly defines the term "congressionally directed spending item" to include "a provision . . . included primarily at the request of a Senator . . . authorizing . . . a specific amount of discretionary budget authority . . . for . . . expenditure with or to an entity, or targeted to a specific State, locality or Congressional district, other than through a statutory or administrative formula-driven or competitive award process."

The Omnibus Public Land Management Act of 2009 is a collection of over 150 public land bills that were reported from the Committee on Energy and Natural Resources during the 110th Congress, for which we have not been able to get unanimous consent to take up and pass during the 110th Congress. I have included them in the Omnibus Public Land Management Act of 2009 to facilitate their early consideration in the new Congress, and not "primarily at the request of a Senator."

Nevertheless, even though no Senator has specifically requested me to include a congressionally directed spending item in the Omnibus Public Land Management Act of 2009, in the interest of furthering the transparency and accountability of the legislative process, I have posted on the Web site of the Committee on Energy and Natural Resources a complete list of all provisions in the Omnibus Public Land Management Act of 2009 that authorize a specific amount of spending authority that is targeted to a specific State or locality, other than through a statutory or administrative formula-driven or competitive award process. The list includes the name of the principal sponsors of the Senate bills in the 110th Congress that have been incorporated in the Omnibus Public Land Management Act.

In addition, I have added several other non-public-land measures from the 110th Congress at the request of the majority leader. Most of these provisions were included in the Advancing America's Priorities Act—S. 3297—in the 110th Congress. They include: the Christopher and Dana Reeve Paralysis Act, subtitle B of title I of S. 3297; four parts of subtitle B, relating to oceans, of title V of S. 3297; and title VII of S. 3297, relating to the authorization of a greenhouse facility for the Smithsonian Institution. These provisions were determined not to constitute "congressionally directed spending items" in the Advancing America's Priorities Act. See 153 Cong. Rec. S7509-7510, July 26, 2008.

In addition, I have added the Coastal and Estuarine Land Conservation Program Act, H.R. 1907 in the 110th Con-

gress, and the Smithsonian Institution Facilities Authorization Act of 2008, H.R. 6627 in the 110th Congress, at the request of the majority leader. The grant program established under Coastal and Estuarine Land Conservation Program Act, section 12507 in the Omnibus Public Land Management Act, does not constitute a congressionally directed spending item because the funds are to be allocated through a competitive grant process. The authorizations in the Smithsonian Institution Facilities Authorization Act, sections 15101 and 15102 of the Omnibus Public Land Management Act, do not appear to constitute congressionally directed spending items because they were requested by the Board of Regents of the Smithsonian Institution, and because they originated in the House of Representatives, where the committees of jurisdiction determined they did not constitute congressional earmarks. See H. Rept. 110-842, part 1, at 5, 2008, Committee on House Administration, and H. Rept. 110-282, part 2, at 4, 2008, Committee on Transportation and Infrastructure.

Finally, I have added the Shoshone-Paiute Tribes of the Duck Valley Reservation Water Rights Settlement Act, H.R. 5293 in the 110th Congress, at the request of the majority leader. This act ratifies a water rights settlement among the Shoshone-Paiute Tribes of the Duck Valley Reservation, individual water users, and the State of Nevada. Section 8 of H.R. 5293, section 10807 of the Omnibus Public Land Management Act, creates two trust funds to settle the legal claims of the Shoshone-Paiute Tribes against the United States for compromising tribal water rights and failing to maintain the Duck Valley Indian Irrigation Project. They do not appear to constitute congressionally directed spending items because they were included to settle pending legal claims rather than "primarily at the request of a Senator," and because they originated in the House of Representatives, where the committee of jurisdiction determined that they did not constitute congressional earmarks. See H. Rept. 110-815 at 11, 2008, Committee on Natural Resources.

I ask unanimous consent that the list be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### THE OMNIBUS PUBLIC LAND MANAGEMENT ACT OF 2009—S. 22

Provisions in the Omnibus Public Land Management Act of 2009 authorizing appropriations in a specific amount for expenditure with or to an entity or targeted to a specific State, locality, or congressional district, other than through a statutory or administrative formula-driven or competitive award process:

Section	Program or entity	State	Principal sponsor of Senate bill in 110th Cong. (or requester)
2501(b)	Rio Puerco Watershed	NM	Bingaman/Domenici
7101(c)	Keweenaw National Historical Park	MI	Levin
7111	Women's Rights National Historical Park	NY	Clinton
7405(g)	St. Augustine Commemoration Commission	FL	Martinez/Nelson
8001(h)	Sangre de Cristo National Heritage Area	CO	Salazar/Allard
8002(h)	Cache La Poudre National Heritage Area	CO	Allard/Salazar
8003(h)	South Park National Heritage Area	CO	Salazar
8004(h)	Northern Plains National Heritage Area	ND	Dorgan/Conrad
8005(h)	Baltimore National Heritage Area	MD	Mikulski/Cardin
8006(i)	Freedom's Way National Heritage Area	MA & NH	Kerry
8007(h)	Mississippi Hills National Heritage Area	MS	Cochran
8008(h)	Mississippi Delta National Heritage Area	MS	Cochran
8009(j)	Muscle Shoals National Heritage Area	AL	none
8010(h)	Kenai Mountains—Turnagain Arm NHA	AK	Murkowski
8201(c)	Quinebaug & Shetucket Nat. Heritage Corridor	CN	Dodd
9001(c)	Snake, Boise & Payette River Systems Study	ID	Craig
9002(b)	Sierra Vista Subwatershed Study	AZ	Kyl/McCain
9003(c)	San Diego Intertie Study	CA	none
9101(c)	Tumalo Irrigation Project	OR	Smith/Wyden
9102(d)	Madera Water Supply Project	CA	Feinstein
9103(e)	Eastern New Mexico Rural Water Project	NM	Bingaman/Domenici
9105(b)	Jackson Gulch Rehabilitation Project	CO	Salazar/Allard
9106(g)	Rio Grande Pueblos	NM	Bingaman
9108(j)	Santa Margarita River	CA	none
9109(a)	Elsinore Valley Municipal Water District	CA	none
9110(a)	North Bay Water Reuse Authority	CA	Feinstein/Boxer
9111(a)	Prado Basin Treatment Project	CA	Feinstein
9112(b)	Bunker Hill Groundwater Basin	CA	Feinstein
9114(a)	Yucaipa Valley Water District	CA	none
9301(3)	San Gabriel Basin Restoration Fund	CA	none
10009	San Joaquin Restoration Settlement	CA	Feinstein/Boxer
10203	Friant Division Improvements	CA	Feinstein/Boxer
10501	Reclamation Water Settlement Funds	NM	Bingaman/Domenici
10609	(a) Navajo-Gallup Water Supply Project	NM	Bingaman/Domenici
10609(b)	San Juan Conjunctive Use Wells	NM	Bingaman/Domenici
10609(c)	San Juan River Irrigation Projects	NM	Bingaman/Domenici
10609(d)	Other Irrigation Projects	NM	Bingaman/Domenici
10702(f)	Navajo Nation Water Trust Fund	NM	Bingaman/Domenici
10807(b)	Duck Valley Development Fund	NV	Reid/Ensign
10807(c)	Duck Valley Maintenance Fund	NV	Reid/Ensign
12107	National Institute for Undersea Science and Technology	MS	Reid (Cochran)
13006	National Tropical Botanical Garden	HI	Akaka
15101	Smithsonian Institution Mathias Laboratory	MD	Leahy (Dodd)
15102	Smithsonian Institution Panama Laboratory	Panama	Leahy (Dodd)
15103	Smithsonian Institution greenhouse	MD	Reid (Leahy/Dodd)

## IDAHOANS SPEAK OUT ON HIGH ENERGY PRICES

Mr. CRAPO. Mr. President, in mid-June, I asked Idahoans to share with me how high energy prices are affecting their lives, and they responded by the hundreds. The stories, numbering well over 1,200, are heartbreaking and touching. While energy prices have dropped in recent weeks, the concerns expressed remain very relevant. To respect the efforts of those who took the opportunity to share their thoughts, I am submitting every e-mail sent to me through an address set up specifically for this purpose to the CONGRESSIONAL RECORD. This is not an issue that will be easily resolved, but it is one that deserves immediate and serious attention, and Idahoans deserve to be heard. Their stories not only detail their struggles to meet everyday expenses but also have suggestions and recommendations as to what Congress can do now to tackle this problem and find solutions that last beyond today. I ask unanimous consent to have today's letters printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Thank you for your newsletter regarding the current problem of gasoline prices. I am a widow living on Social Security income. My car is a 1981 Volvo. Driving my car has almost come to a standstill. I drive only for necessities. I feel like a bear hibernating over the winter. The idea of buying a new car with better mileage is out of the question for me.

As to the things our Nation should be doing—these include drilling for oil wherever available, using oil shale, developing nuclear power, windmills, biofuels. Using corn for ethanol is the craziest idea of all. The com-

modities market is hitting new highs almost daily. With the floods in Iowa, we cannot afford to use corn for oil. The animals that need corn for food are affecting our prices in the grocery store. Get rid of regulations that cause energy companies to take years to develop energy or cause no action because of the red tape of government.

Blaming the oil companies for so-called obscene profits is nonsense. Taxes on gasoline are more than profits per gallon of gas that the oil companies collect. Exxon has even said that they are closing some stations because of non profit. It is sad that many do not understand the basics of economics.

The American public has spoken. Stop listening to the environmentalists. Because there has been no foresight, we are suffering now for the lack of action by those in the past who we elected to represent us. Both parties are responsible, but blaming does not get the job done.

It is embarrassing to read that France has developed their nuclear power while we just sit and talk about it. It is sad knowing that foreign countries are acquiring leases to drill for oil in our backyard, while we just sit and watch what is going on in the Gulf of Mexico and grumble about it. It is humiliating to hear those who say we are becoming a third world nation. Americans are known for their innovation.

Gasoline prices are affecting food prices, small businesses and the cost of all goods and services. Independent truckers are suffering. We rely on them for delivery of our food and goods to market. If their numbers decrease because of their cost of doing business, it will cause an additional increase in prices or possibly the disappearance of some goods. I do not think we want that to happen to our food supplies.

The time has come to act. Now is the time. We must not waste time. The public is begging for some common sense to solve these problems. Egos must be ignored lest we suffer more. Corporate America knows how to solve these problems. Do not hinder them any more with government red tape.

LAVERGNE, Hayden.

Our family lives about 30 miles from Idaho Falls where we do most of our business. My daughter and I also drive about 32 miles each way to our places of work so we are impacted every day. Our best guess is that we are spending about \$400 per month more now than we did when gas was \$2 per gallon. So far our response has been to curtail vacation traveling and reduce other unnecessary purchases.

Solutions (in order of preference):

1. Pursue increased domestic oil drilling including off-shore and ANWR and encourage construction of more refineries. I believe environmental concerns have been greatly exaggerated and need to be evaluated based on their cost effectiveness relative to their impact on the cost of living versus risk to our quality of life.

2. Pursue alternative energy sources only as far they are cost-effective. If bio-fuels need to be subsidized in order to maintain production, they are obviously not cost-effective.

3. Pursue nuclear power generation (we are 20 years behind). There is also potential for hydrogen as a by-product that could be used as an alternative to gasoline. I have doubts about wind generation as a cost-effective alternative energy source, and I personally do not care for it is adverse effect on the natural beauty of Idaho's landscapes.

4. Pursue improved coal-fired electrical generation. I also have serious concerns regarding the apparent race to reduce CO<sub>2</sub> emissions at any cost when there is so little real evidence that proves a correlation with global warming (also unverified).

5. Encourage more mass transit systems in our larger cities and offer incentives for their use. I was in San Diego, California last week and the traffic was absolutely mind-boggling.

6. Encourage better individual planning and carpooling across the nation. There are way too many of us making unnecessary trips to the store and letting our kids drive to school every day when we have buses making the same trip, but I suppose this will



take care of itself eventually when the price of gas gets to around \$6 per gallon.

Thanks for asking and thanks for your service to Idaho,

WADE, *Hamer*.

We are an independent pharmacy and offer free delivery service to our customers. Medicare, Medicaid, uninsured and indigent customers are all included. We are seriously considering charging for this service or eliminating it all together due to excessively high fuel prices.

Along with fuel cost, Medicare issues, such as slow pay and low pay, are making it really difficult to stay in business. We have no control over our reimbursement prices and are told to take it or leave it. All of these price increases must be passed on to the consumer somehow if we are to survive. Drug companies are raising prices too.

Thanks for asking for input.

KENT, *Twin Falls*.

We appreciate your concern about the rising costs of energy. As you say in Idaho we live quite a distance from most of the things we do. So the rising cost of gas has made a big impact on what we spend for transportation. We would encourage you to do whatever is necessary to make the changes in the current laws to allow exploration and drilling for oil including oil shale process. We have billions of gallons that cannot be tapped because of all the government red tape. We have supported the foreign suppliers long enough. Many of them are supporting terrorists who are enemies to us and our way of life. It is way passed time Congress became accountable for the restrictions they have placed on exploration and oil production. Do all you can to help this situation.

BOYD and LADENE, *Ucon*.

While the rise in petroleum prices is certainly a hardship to many people in Idaho, I do not know what else would have finally prompted a serious discussion about alternate energy sources and about seriously conserving energy. I usually ride a bicycle to work and drive an 18-year-old Honda Civic, which gets 44 mpg on the highway. If the entire U.S. auto fleet got similar mileage, I believe we could drastically cut our oil imports. The technology for more fuel efficient vehicles has been around for quite a while—that technology has not been encouraged and is currently not utilized. Here is an excerpt from Miller's *Living in the Environment* (8th edition) textbook written 10 years ago: "Since 1985 at least 10 companies including Volvo, Volkswagen, Renault, Peugeot, Honda, Mazda, Toyota and General Motors have had peppy prototype cars that meet or exceed current safety and pollution standards with fuel efficiencies of 67 to 138 mpg. If they were mass produced their slightly higher costs would be more than offset by their fuel savings . . . We can have roomy, peppy, safe, gas sippers, but only if consumers begin demanding them and buying them. (p 452)."

With encouragement from the government, we could do even better than this. However, we do not seem to change our wasteful energy behavior because it is logical or because it harms the environment. We do it because we have to and cannot afford to do otherwise. Only economic pressure will force us to let go of our addiction to driving 2-3 ton SUVs, usually with only one person inside, commuting 20 miles to work and 1 mile to the store when walking or biking would do. People in Europe drive smaller cars and use much less oil per capita—but they have been paying \$5 or more per gallon for a long time. Drilling more holes in the ground to extract the remaining reserves of oil in the U.S. fast-

er, would only serve to delay the change in consumption of petroleum that we all must make. Subsidizing alternative energy development makes good sense. Solar, wind, and biofuels, along with conservation should receive highest priority. Nuclear power would seem to be the best "bridging" source of energy—if it were not for the problem of handling wastes. You might want to look at the International Society of Doctors for the Environment's resolution on nuclear energy, March 2007 (<http://201.116.215.170/isde.org>). Further research on handling nuclear waste should be encouraged before constructing more nuclear power plants. Had we put significant effort and resources on alternate energy during the past 20 years, the adjustment to higher oil prices now would not have been so painful. We will need to use a wide variety of energy sources to replace the declining and increasingly expensive petroleum. People will adjust to the higher prices of gasoline by car pooling, taking public transportation, moving closer to work, buying more fuel efficient vehicles, making less needless trips, and many other ways. I recognize that this is not the kind of personal story about how high oil prices are hurting me, but I thought you should be aware of a different view of the oil price crisis.

Thank for asking for input.

ROGER.

My husband and I live in Salmon. He will be 69 June 22nd; I am 70. He is a recovering heart patient; I am a declining COPD patient. We are on a fixed income (Social Security) and are both under the care of specialists, who practice in Missoula, Montana, 170 miles away. We cancelled our appointments last month with our doctors because we simply do not have the money for gas. It is a sad state of affairs when a person cannot afford to visit their physician because gas is (as of today here in Salmon) \$4.25. I think it is time to start drilling. Perhaps even open some of our reserves.

Thank you for offering this site for folks like us to share the hardship this is causing not only in our lives but everyone in our community.

CONNIE.

One of the ways that my husband and I are coping with the increasing gasoline prices is that my husband is riding his motorcycle to work to reduce gasoline consumption. What I do not like about this situation is that it increases his chances for a fatal accident while commuting because of the increased danger of not being seen by the numerous other drivers in a high traffic time.

We should be using our own domestic resources for oil in all ways possible (drilling and shale) and we should build nuclear power plants. France is a good model for very safe and productive nuclear resources.

DEBRA, *Boise*.

Thank you for asking us everyday Idahoans how high fuel prices are affecting us on a daily basis. My husband and I were just discussing this two days ago, about how and where we can cut down in order to shift the dollars to gasoline. First off, we are retired and on a fixed income; so that means when the price of one thing goes up, another thing will have to go down. We spend an average of \$100 a month on gas. That, I know, is small compared to other Idahoans, and that is because we do not have to drive to work.

Since gas has doubled in one year, we have to come up with another \$100 a month to cover the increase. First, we ended our gym membership, which was costing \$45 a month. Well, that is as far as we got. We do not know what else to cut down on. So we are in the hole \$65 monthly. I am going to see if I

can cut down on food, as I have seen the prices of food going up, too. I know my electric bill, water bill, and gas bill will be going up, too. It is very scary for us.

Other things we are doing is grouping our trips together. This does offer a challenge due to logistics and time. And the impact of this cannot be calculated by any means, so I do not know what the effect of that will be.

Other things we are trying is not eating fast food anymore. This is upsetting especially to me, because sometimes I just do not have the energy or the desire to cook. Going to a fast food was my respite.

We also are not planning to make any day trips to other cities in Idaho anymore. We are new residents of Idaho, and wanted to explore its beauty this summer, when the weather was warmer. Last year, we were able to drive to Bogus Basin, Silver City, McCall, and Tamarack, and also explore the Boise National Forest. After all, is not that what retirement is supposed to be? However, we stopped talking about those trips. We even opted not to go to the next city over, Eagle, to experience our first Eagle Days fair, due to the drive.

In other words, Senator, our driving today has been limited to just essential places, such as the grocery store and taking our Labradors to the nearby creek for a swim, which is the highlight of their day and we just cannot take that away from them.

We were planning on buying life insurance for my husband, who is 63 and 13 years older than I am. Currently he has no life insurance. We are newlyweds (just 1 year), and I am always worried about what will happen to me when he dies. We have bills to pay, and the funeral costs alone average \$7,000. After doing research comparisons, the best insurance we could get was \$125 a month for just \$100,000 of life insurance. We wanted to buy more insurance, but at \$125 a month, that was all we can afford. Now, even that is on hold. That presents a daily worry for me, as my husband is active and can get hurt anytime.

We must open up America for the oil companies to dig. I am so upset with the current EPA guidelines, which seem to be more concerned about protecting animals (like the caribou and the polar bear) than of the survival of the human race, especially the elderly like my husband and myself. Quality of life? There is none anymore, but the caribou and the polar bears have a great quality of life, do not they? I remember my early Bible days when in Genesis, God told Adam, "All this is yours for your use" (paraphrasing). Man is the highest earth form yesterday, today, and always will be. I truly believe that everything around us is meant to be used to our advantage, with minimum and common sense protection.

I would also like to see a nuclear plant in Idaho. We have so much land here, with the nearest civilization miles away. Nuclear plants are safe. I know that. If having a nuclear plant here in Idaho will help Idahoans with lower energy costs, then that is what I want. My husband agrees, too. If the other states are too liberal or too scared to put one up, then that is their problem. Right now, my concern is for me, my husband, and Idaho.

Thank you so much for letting me speak. I really appreciate that. In my last state, that is unheard of. That is one of the reasons I love living in Idaho.

STELLA, *Meridian*.

A few years ago when we had another crisis with fuel, the Feds stepped in and made a national speed limit to help conserve fuel. I think it is needed more now than then. Stiff enforcement penalties would need to be set up for each state for enforcement.

Also many years ago we had glass bottles and people employed in glass factories making them. We could save a lot of petrol by getting away from so much plastic. Glass is far easier to recycle than plastic and it is reusable.

It is time [Congress got past partisanship and figured out how to solve these problems]. They should be paying us by now not the other way around. Let us put an end to the financial handout to them and start using those funds to build our own country.

LUCIAN.

Thank you for your recent communication regarding your vote on the climate change bill. I must say that I disagree with your decision, despite being spared an increase in gasoline costs. With 5 kilowatt-h/sq meter of solar income, in addition to our hydroelectric power and category 4-5 wind, Idaho should be a net green energy exporter. Just because the oil companies, in times of record profits, decide to squeeze the consumer, does not mean we can make the short-sighted choice to think only with our wallets. We need an energy policy that provides true security—a diversified portfolio of energy sources—not continued investment in a delivery system that is outmoded, wasteful, and polluting. I am stretched in this economy, but I would gladly put out the extra money for the long term solution of improved air quality (have you seen the brown air over the Treasure Valley recently), cutting off money supply to unstable Mideast regimes, and a chance for my son to have a functional environment in which to live. Please stop making short-term political decisions when you have the opportunity to show true leadership and thoughtfully consider how to achieve a sustainable future for our country. It is not too hard for us, for heaven's sake, we are Americans!

LISA, Boise.

The cost for fuel oil has gone from \$.60 per gal. to over \$4 per gallon, raising my monthly heating costs in the winter from \$85 to \$353 per month. I also drive around 40,000 miles per year for my job and while costs have skyrocketed, the business deduction has not, which is, in fact, a tax increase to go with the punishing costs. To add to these problems, my wife's mother, who lives in Dillon, Montana, has cancer, and lives at her trailer home for now. She is on Medicaid, has limited options for care and depends on us for many things. It is a six-hour drive. We get reasonable good mileage but that country, with the unpredictable weather, has a negative impact on our 26 miles per gallon. The cost of the trip has gone from \$100 to \$400 in just the last year and ½. My wife stayed home and raised our children while I provided for them so she has no Social Security. I am self-employed, so there is no retirement waiting except for what I can provide and I have used that to pay my taxes till it ran out. My wife was injured very badly 2½ years ago without insurance and I must pay the county back over the next 15 years. I realize that these things are adversity and I can, with hard work and the blessings of God, overcome them and still succeed. The biggest obstacle in my way is the very government that has sworn to uphold and defend the constitution that was inspired to protect me. Those who are bent on a socialistic society are destroying my hope for a future and the hope of my children.

RICHARD, Caldwell.

#### TRIBUTE TO ST. MICHAEL'S COLLEGE STUDENT VOLUNTEERS

Mr. LEAHY. Mr. President, I wish to draw the attention of the Senate to a

group of selfless volunteers at St. Michael's College in Colchester, VT, who sacrificed time with their families and friends this past holiday season to ensure that Vermonters in need of emergency services had someone to call upon even on the Christmas holiday.

St. Michael's Fire and Rescue was founded in 1969 and has been staffed and operated by student volunteers ever since. Donald Sutton, affectionately known as "Pappy" around the firehouse, helped start the organization as dean and director of campus security following the untimely death of a student athlete on campus. Nearly 40 years later, the organization serves as the primary ambulance and fire service for a large portion of the State's most populous region, Chittenden County.

The student volunteers who make this organization run find time outside of their rigorous course work to not only be on call but also to complete hundreds of hours of Emergency Medical Technician training and Firefighter training. While their classmates may be battling another school on the ice, on the field, or on the court—St. Michael's Fire and Rescue members are risking their lives in real-life emergency situations, aiding the sick, and putting out fires. Even during the holidays, when schools shut down and students usually go home to visit with family, these students stand watch for their community.

While I was at my family farm in Middlesex this holiday season, I came across a Christmas Day Burlington Free Press article highlighting the sacrifice of these students. I ask unanimous consent that the text of that article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Burlington Free Press, Dec. 25, 2008]

#### NO BREAK FOR STUDENTS ON RESCUE SQUAD (by Joel Banner Baird)

COLCHESTER.—Their classmates might delight in holiday downtime: late nights, late mornings, heavy meals and torpor.

On the night before Christmas, a student-staffed rescue squad at St. Michael's College remains on-call and alert—by choice. Time off will come to squad Capt. Kristen Dalton, 21, later this week, after a 90-hour week at the College Parkway station.

Her fellow St. Mike's seniors, Mark Petersen and Peter Cronin, both 21, opted for holiday duty, too.

This is more than a club. The squad's 20 members are first-responders who you see tending to car-wreck victims and heart-attack patients. They respond to more than 2,700 calls every year from Chittenden County residents, most of them in Colchester, Winooski and Hinesburg. Dalton looked cheerful on a slow Wednesday morning.

The biology major and pre-med student said she typically logs 40 to 50 hours per week at St. Michael's Fire and Rescue.

Each volunteer, certified as an Emergency Medical Technician, puts in at least 24 hours per week, including a 12-hour overnight shift at the station.

"We hold ourselves to a 3-minute response time," Dalton said. "I throw a jumpsuit over

my pajamas, I'm in my boots, and I'm out the door."

Like his captain, Petersen joined the squad as a freshman. He said the commitment taught him how to juggle academic commitments.

"It really, really forces you into time management," he said.

Another learning curve brought him up to speed as a member of a larger, adult community.

"What we do here is a lot of consequence-based decision-making," he said. "You see the results of your actions right away. It makes you step back and say, 'Hey—I'm not a kid anymore.'"

Interrupting him, a call came through dispatch: An infant in Plattsburgh, N.Y., needed to be transported to Fletcher Allen.

Petersen and Cronin did a final inspection of the neo-natal intensive care truck—one of the station's three ambulances—and headed out to pick up a specialist at the hospital en route to New York.

Christmas Eve's activities would be anybody's guess. Wrapped packages lay beneath a decorated tree in the ready room. Cronin's parents said they'd cook breakfast for the volunteers on Christmas morning.

Dalton said the squad would lose almost half of its members after graduation. She's already planning a spring recruitment drive.

"This attracts a lot of different people—people who want to do something good with their time," she said.

As if on cue, Kate Soons of Colchester, a self-described "lingering alum," entered with an overnight bag. She'd heard about the Plattsburgh call and wanted to provide backup.

Soons served with the squad in the 1980s, and now is a nurse at Fletcher Allen. She also coordinates regional emergency care training, and keeps tabs on St. Mike's graduates who have chosen to stay active in the field.

Begun in 1969, the rescue squad is the busiest volunteer ambulance unit in the state, she said.

"It's a big family," she said.

Soons' husband, Pete Soons, also served with rescue volunteers as an undergraduate. He directs the college's department of public safety, overseeing campus security, rescue and fire squads.

Unlike the rescue volunteers, St. Michael's 25 firefighters have an off-campus affiliation; they're a battalion in the Colchester Center Volunteer Fire Company.

Standing between a hose truck and an engine, company firefighter Gary Zeno discussed hydrant fittings with freshman Andrea Dillner, 19. Still in training, Dillner will accompany squads as a rookie until she qualifies for hands-on work.

Nonetheless, she volunteered.

After a briefing with Zeno, she headed upstairs, past a wall-sized calendar of shift schedules and birthdays, to take a nap.

Dalton, coffee in hand, looked as wide-awake as ever on the night before Christmas.

#### ADDITIONAL STATEMENTS

##### RETIREMENT OF CHARLENE DAVIS

• Mr. BOND. Mr. President, today I acknowledge and pay tribute to Charlene Davis's dedication and service to the people of Missouri as she retires from the Jackson County Election Board of Election Commissioners after 34 years.

During her tenure with the board, Charlene has helped modernize our election technology, improving the reliability and integrity of elections.

Charlene had the opportunity to design the program to implement punch card voting; to design, implement, and monitor the computerized database for voter registration; and to implement the National Voting Rights Act, making modifications to the database to conform. Charlene has been instrumental to making the voting process in the State of Missouri a secure one.

Charlene was also implemental in securing the new electronic voting system required by Help America Vote Act. As a sponsor of the Help America Vote Act, I express my gratitude to Charlene in executing this program.

She has been an active member of The International Association of Clerks, Recorders, Election Officials & Treasurers since 1981, serving as State director from Missouri for 10 years, treasurer of IACREOT and special assistant to the president in 2004.

Charlene received her formal education from the University of Missouri, in Columbia, MO, where she majored in math and physics.

She and her husband Wade are the parents of three married children, and they have eight grandchildren.

Charlene, congratulations on your well-deserved retirement and best wishes for your future endeavors.●

#### TRIBUTE TO DICK HOXWORTH

● Mr. CASEY. Mr. President, I would like to take a moment today to recognize the career of journalist Dick Hoxworth who, after serving the residents of central Pennsylvania for 40 years, retired from his post as anchor on WGAL-TV on Christmas Eve.

The longest serving anchor in the Harrisburg media market, Dick covered some of the most newsworthy events in the region's history. Most notably, he covered the Agnes flood in 1972 and was one of the first reporters on the scene at the Three Mile Island nuclear accident. During the Vietnam war he reported on the return of the first American prisoners of war, as well as the arrival of the first Vietnamese refugees to the United States. In the political arena, Dick Hoxworth covered stories at both the Pennsylvania State Capitol and the White House.

Dick was a highly decorated newsmen. Over the course of his distinguished career, he received awards from the Associated Press, the Pennsylvania Association of Broadcasters, and was nominated for 29 regional Emmy Awards, winning 3 times.

But simply listing Dick Hoxworth's accomplishments and accolades within the field of journalism doesn't tell his full story. Dick was an old-fashioned "news man," getting his start before blogs, the Internet, 24-hour cable news, and live satellite feeds. However, as time went on, he did one of the most difficult things to do in a profession he transcended the changes that were taking place in his field. Dick continued broadcasting, writing, and reporting even as the faces and technology

around him changed with the times. Rather than be deterred by these changes, he embraced them and continued to thrive.

Edward R. Murrow once said, "the newest computer can merely compound, at speed, the oldest problem in the relations between human beings, and in the end the communicator will be confronted with the old problem, of what to say and how to say it."

For 40 years, Dick Hoxworth knew what to say and how to say it. And, in doing so, he has made Pennsylvania proud. Today I would like to recognize and pay tribute to that service and his long and successful career. ●

#### TRIBUTE TO JAMES A. TEGNELIA

● Mr. LUGAR. Mr. President, today I wish to honor the accomplishments and leadership of Dr. James Tegnalia for his service to the Defense Threat Reduction Agency—DTRA—and the Nunn-Lugar Cooperative Threat Reduction Program. DTRA is a 2,000-member combat support agency which is charged by the Department of Defense to safeguard the United States and its allies from weapons of mass destruction.

I have had the pleasure of working closely with Jim and DTRA in their role as the primary implementers of the Nunn-Lugar program. I am thankful to have had such a strong ally in the fight against nuclear proliferation. The agency is an integral actor in the fight to reduce WMD proliferation worldwide and has proven to be an extraordinary source of leadership in reducing the threats posed by weapons of mass destruction.

Dr. James Tegnalia, of Albuquerque, NM, has served as the Director of the Defense Threat Reduction Agency since February 2005, and will leave that post in February 2009, after 4 years of dedicated service. Dr. Tegnalia's accomplishments are as wide in scope as they are large in number, and for this we honor him today on the floor of the U.S. Senate.

Dr. Tegnalia was instrumental in institutionalizing and integrating the mission of combating weapons proliferation across the Department of Defense and in guiding agency support to the global war on terrorism. The integration of Department of Defense missions in both fighting terror and WMD proliferation has allowed both agencies to share valuable resources and seek common purpose in our efforts on both important fronts.

Jim has been a tireless champion of international efforts to curb the proliferation of nuclear weapons, and his understanding of the threat of weapons of mass destruction to our nation and U.S. interests abroad is unparalleled. This expertise and dedication manifested itself in a leadership role for the agency in the establishment of regional and global nonproliferation partnerships. Working closely with the Department of State, Dr. Tegnalia has

been a vocal advocate of the President's Global Initiative to Combat Nuclear Terrorism, a program designed to prevent terrorists and dangerous regimes from threatening the United States and its allies with the world's most deadly weapons.

I have had the opportunity to travel extensively with Dr. Tegnalia and the experts at DTRA to Nunn-Lugar dismantlement sites all over the world. I remember fondly a trip we took just 2 years ago. He joined Sam Nunn and I in celebrating the 15th anniversary of the program on a trip to Russia, Ukraine, and Albania. We enjoyed good conversation on the program's significant contributions to international security and Nunn-Lugar's future prospects in countries outside the former Soviet Union. Jim has been an immensely successful leader and colleague in the fight to keep the United States safe and secure against the threats of weapons of mass destruction. We are indebted for his service and honor his commitment to this country.

I ask my colleagues to join me in wishing him good luck in his future endeavors and thanks for a job well done. ●

#### HONORING MAINE ENERGY SYSTEMS

● Ms. SNOWE. Mr. President, while many hold an idyllic notion of Maine in the winter as a haven for skiers and snow enthusiasts, Mainers know that the cold winter months bring with them many dangers, particularly when it comes to heating homes. That is why I wish to recognize Maine Energy Systems of Bethel, a small business that is using technology and innovative thinking to help solve our Nation's energy crisis and keep Mainers warm during the State's lengthy winter.

Maine Energy Systems is the product of three men: Les Otten, Dr. Harry "Dutch" Dressler, and William Strauss. They came together in 2007 to brainstorm a way to reduce energy costs for Mainers and for the Nation. When the trio formed Maine Energy Systems they agreed that any solution had to: Reduce dependency on foreign oil; be environmentally sensitive; be renewable; and be affordable. With these goals in mind, they spent 14 months researching every aspect of energy delivery and production. These efforts eventually bore fruit when they partnered with German manufacturer Bosch to create a wood pellet fueled boiler system suitable for sale in America.

Bosch created a boiler fueled by high-grade wood pellets that are pumped through an automatic feeder into the boiler itself. The wood pellets are made directly from trees or from the byproducts of other wood manufacturing processes before undergoing a unique and exciting process. The wood is first dried, pulverized and forced under high pressure through the holes in a die, a specialized manufacturing tool. The

holes force the wood into a tightly compact pellet shape that stores energy without wasting space. These pellets are extremely versatile and can be made from either hardwood or softwood.

Once inside the boiler, the pellets are fanned in order to ensure maximum combustibility. Finally, the pellets are burned, generating heat that can be used as a home heating source. The boiler has already been approved by the Underwriters Laboratories and proven reliable by the American Society of Mechanical Engineers. In addition to their dependability, wood pellets are also environmentally friendly.

The wood pellets have very little ash content. Unlike traditional log fires, burning pellets do not appear to create chimney deposits and in fact, burning wood pellets creates no visible smoke. The only byproduct left after burning is wood ash, which is actually beneficial to garden and lawn soil. Wood pellets are a local renewable resource, and many of the pellets used by Maine Energy Systems come from trees in the small Maine town of Athens. In this way, Maine's abundant forests can help reduce our Nation's dependence on foreign sources of energy, in particular Middle Eastern oil. The carbon footprint created by wood pellet burning stoves is only 28.6 lbs. per million British thermal units, which ranks as one of the most efficient ways to heat a home.

Maine Energy Systems is at the vanguard of the "green" product revolution, creating a product that is beneficial to the environment, saves consumers money, and produces profits and jobs. Entrepreneurs in the purest sense of the word, Maine Energy Systems' founders have provided our country a tremendous opportunity for a better future. I wish Les Otten, Dr. Harry "Dutch" Dressler, William Strauss, and Maine Energy Systems continued success as they help Mainers save money, energy, and the environment.

#### MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Mrs. Neiman, one of his secretaries.

#### EXECUTIVE MESSAGE REFERRED

As in executive session the Presiding Officer laid before the Senate a message from the President of the United States submitting nominations which were referred to the Committee on Armed Services.

(The nomination received today is printed at the end of the Senate proceedings.)

#### MESSAGE FROM THE HOUSE

At 12:16 p.m., a message from the House of Representatives, delivered by

Mrs. Cole, one of its reading clerks, announced that the House has agreed to the following concurrent resolutions, without amendment:

S. Con. Res. 1. Concurrent resolution to provide for the counting on January 8, 2009, of the electoral votes for President and Vice President of the United States.

S. Con. Res. 2. Concurrent resolution extending the life of the Joint Congressional Committee on Inaugural Ceremonies.

The message also announced that the House has passed the following joint resolution, without amendment:

S.J. Res. 3. Joint resolution ensuring that the compensation and other emoluments attached to the Office of Secretary of the Interior are those which were in effect on January 1, 2005.

#### MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

S. 1. A bill to create jobs, restore economic growth, and strengthen America's middle class through measures that modernize the Nation's infrastructure, enhance America's energy independence, expand educational opportunities, preserve and improve affordable health care, provide tax relief, and protect those in greatest need, and for other purposes.

S. 2. A bill to improve the lives of middle class families and provide them with greater opportunity to achieve the American dream.

S. 3. A bill to protect homeowners and consumers by reducing foreclosures, ensuring the availability of credit for homeowners, businesses, and consumers, and reforming the financial regulatory system, and for other purposes.

S. 4. A bill to guarantee affordable, quality health coverage for all Americans, and for other purposes.

S. 5. A bill to improve the economy and security of the United States by reducing the dependence of the United States on foreign and unsustainable energy sources and the risks of global warming, and for other purposes.

S. 6. A bill to restore and enhance the national security of the United States.

S. 7. A bill to expand educational opportunities for all Americans by increasing access to high-quality early childhood education and after school programs, advancing reform in elementary and secondary education, strengthening mathematics and science instruction, and ensuring that higher education is more affordable, and for other purposes.

S. 8. A bill to return the Government to the people by reviewing controversial "midnight regulations" issued in the waning days of the Bush administration.

S. 9. A bill to strengthen the United States economy, provide for more effective border and employment enforcement, and for other purposes.

S. 10. A bill to restore fiscal discipline and begin to address the long-term fiscal challenges facing the United States, and for other purposes.

S. 33. A bill to amend the Internal Revenue Code of 1986 with respect to the proper tax treatment of certain indebtedness discharged in 2009 or 2010, and for other purposes.

S. 34. A bill to prevent the Federal Communications Commission from repromulgating the fairness doctrine.

S. 22. A bill to designate certain land components of the National Wilderness Preservation System, to authorize certain programs and activities in the Department of the Interior and the Department of Agriculture, and for other purposes.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-221. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Big Spring, TX" ((Docket No. FAA-2008-0757)(Airspace Docket No. 08-ASW-13)) received in the Office of the President of the Senate on December 11, 2008; to the Committee on Commerce, Science, and Transportation.

EC-222. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to the economic benefits of recreational boating in the Great Lakes basin; to the Committee on Environment and Public Works.

EC-223. A communication from the Assistant Administrator, Office of Administration and Resources Management, Environmental Protection Agency, transmitting, pursuant to law, a report relative to the Agency's competitive sourcing activities during fiscal year 2008; to the Committee on Environment and Public Works.

EC-224. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "2, 4-D, Bensulide, Chlorpyrifos, DCPA, Desmedipham, Dimethoate, Fenamiphos, Metolachlor, Phorate, Sethoxydim, Terbufos, Tetrachlorvinphos, and Triallate; Technical Amendment" (FRL-8393-9) received in the Office of the President of the Senate on January 5, 2009; to the Committee on Environment and Public Works.

EC-225. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Quality Designations for the 2006 24-Hour Fine Particle (PM<sub>2.5</sub>) National Ambient Air Quality Standards" (RIN2060-AO02) received in the Office of the President of the Senate on January 5, 2009; to the Committee on Environment and Public Works.

EC-226. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Texas; Attainment Demonstration for the Dallas/Fort Worth 1997 8-Hour Ozone Nonattainment Area" (FRL-8758-7) received in the Office of the President of the Senate on January 5, 2009; to the Committee on Environment and Public Works.

EC-227. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Illinois and Indiana; Finding of Attainment for 1-Hour Ozone for the Chicago-Gary-Lake County, IL-IN Area" (FRL-8757-8) received in the Office of the President of the Senate on January 5, 2009; to the Committee on Environment and Public Works.

#### MEASURES READ THE FIRST TIME

The following bill was read the first time:

EC-228. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Texas; Control of Emissions of Nitrogen Oxides (NOx) From Cement Kilns" (FRL-8758-8) received in the Office of the President of the Senate on January 5, 2009; to the Committee on Environment and Public Works.

EC-229. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Georgia; Nonattainment New Source Review Rules" (FRL-8757-9) received in the Office of the President of the Senate on January 5, 2009; to the Committee on Environment and Public Works.

EC-230. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of State Implementation Plans; Oregon; Salem Carbon Monoxide Nonattainment Area; Designation of Areas for Air Quality Planning Purposes" (FRL-8747-7) received in the Office of the President of the Senate on January 5, 2009; to the Committee on Environment and Public Works.

EC-231. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Extension of Cross-Media Electronic Reporting Rule Deadline for Authorized Programs" (FRL-8757-2) received in the Office of the President of the Senate on January 5, 2009; to the Committee on Environment and Public Works.

EC-232. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the Clean Water Act Regulatory Definition of 'Discharge of Dredged Material'; Final Rule" (FRL-8757-7) received in the Office of the President of the Senate on January 5, 2009; to the Committee on Environment and Public Works.

EC-233. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Multiple Chemicals; Extension of Tolerances for Emergency Exemptions" (FRL-8392-3) received in the Office of the President of the Senate on January 5, 2009; to the Committee on Environment and Public Works.

EC-234. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; The Metropolitan Washington Nonattainment Areas; Determination of Attainment of the Fine Particle Standard" (FRL-8759-7) received in the Office of the President of the Senate on January 5, 2009; to the Committee on Environment and Public Works.

EC-235. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; West Virginia; Ambient Air Quality Standards" (FRL-8759-6) received in the Office of the President of the Senate on January 5, 2009; to the Committee on Environment and Public Works.

EC-236. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the

report of a rule entitled "Research Credit Claims Audit Techniques Guide: Credit for Increasing Research Activities IRC Section 41—Exhibit E" (LMSB-4-1208-057) received in the Office of the President of the Senate on January 5, 2009; to the Committee on Finance.

EC-237. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Applicable Federal Rates—January 2009" (Rev. Rul. 2009-1) received in the Office of the President of the Senate on January 5, 2009; to the Committee on Finance.

EC-238. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Permitted disparity in employer-provided contributions or benefits" (Rev. Rul. 2009-2) received in the Office of the President of the Senate on January 5, 2009; to the Committee on Finance.

EC-239. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Petroleum Industry Overview Guide" (LMSB-4-1208-056) received in the Office of the President of the Senate on January 5, 2009; to the Committee on Finance.

EC-240. A communication from the Program Manager of the Center for Medicaid and State Operations, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicaid Program; Disproportionate Share Hospital Payments" (RIN0938-AO45) received in the Office of the President of the Senate on January 5, 2009; to the Committee on Finance.

EC-241. A communication from the Program Manager of the Center for Medicaid and State Operations, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Surety Bond Requirement for Suppliers of Durable Medical Equipment, Prosthetics, Orthotics, and Supplies (DMEPOS)" (RIN0938-AO84) received in the Office of the President of the Senate on January 5, 2009; to the Committee on Finance.

EC-242. A communication from the Assistant Secretary, Veterans' Employment and Training Service, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Priority of Service for Covered Persons" (RIN1293-AA15) received in the Office of the President of the Senate on January 5, 2009; to the Committee on Health, Education, Labor, and Pensions.

EC-243. A communication from the Director of Interpretations and Regulatory Analysis, Employment Standards Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Protecting the Privacy of Workers: Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction" (RIN1215-AB67) received in the Office of the President of the Senate on January 5, 2009; to the Committee on Health, Education, Labor, and Pensions.

EC-244. A communication from the Program Manager, Office of Global Health Affairs, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Office of Global Health Affairs; Regulation on the Organizational Integrity of Entities that are Implementing Programs and Activities Under the Leadership Act" (RIN0991-AB46) received in

the Office of the President of the Senate on January 5, 2009; to the Committee on Health, Education, Labor, and Pensions.

EC-245. A communication from the Chairman, Merit System Protection Board, transmitting, pursuant to law, a report entitled "The Federal Government: A Model Employer or a Work In Progress?"; to the Committee on Homeland Security and Governmental Affairs.

EC-246. A communication from the National Executive Secretary, Navy Club of the United States of America, transmitting, pursuant to law, a report relative to the national financial statement of the organization and national staff and convention minutes for the year ending July 31, 2008; to the Committee on the Judiciary.

EC-247. A communication from the General Counsel, Office of Justice Programs, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Public Safety Officers' Benefits Program" (RIN1121-AA75) received in the Office of the President of the Senate on January 5, 2009; to the Committee on the Judiciary.

EC-248. A communication from the Deputy Chief of the Regulatory Management Division, Citizenship and Immigration Services, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Changes to Requirements Affecting H-2B Nonimmigrants and Their Employers" (RIN1615-AB67) received in the Office of the President of the Senate on January 5, 2009; to the Committee on the Judiciary.

EC-249. A communication from the Administrator of the Office of Policy Development and Research, Employment and Training Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Labor Certification Process and Enforcement for Temporary Employment in Occupations Other Than Agriculture or Registered Nursing in the United States (H-2B Workers), and Other Technical Changes" (RIN1205-AB54) received in the Office of the President of the Senate on January 5, 2009; to the Committee on the Judiciary.

EC-250. A communication from the Administrator of the Office of Policy Development and Research, Employment and Training Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Temporary Agricultural Employment of H-2A Aliens in the United States; Modernizing the Labor Certification Process and Enforcement" (RIN1205-AB55) received in the Office of the President of the Senate on January 5, 2009; to the Committee on the Judiciary.

## INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. BINGAMAN:

S. 22. A bill to designate certain land components of the National Wilderness Preservation System, to authorize certain programs and activities in the Department of the Interior and the Department of Agriculture, and for other purposes; read the first time.

By Ms. CANTWELL (for herself, Mr. ENSIGN, Mrs. MURRAY, Mr. REID, Mr. ALEXANDER, and Mr. NELSON of Florida):

S. 23. A bill to amend the Internal Revenue Code of 1986 to permanently extend the election to deduct State and local sales taxes; to the Committee on Finance.

By Mr. KERRY (for himself and Mr. ROCKEFELLER):

S. 24. A bill to amend the Internal Revenue Code of 1986 to strengthen the earned income tax credit; to the Committee on Finance.

By Mr. SANDERS:

S. 25. A bill to ensure access to basic broadcast television after the Digital Television Transition, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mrs. LINCOLN:

S. 26. A bill to amend the Internal Revenue Code of 1986 to reset the income threshold used to calculate the refundable portion of the child tax credit and to repeal the sunset for certain prior modifications made to the credit; to the Committee on Finance.

By Mr. SCHUMER (for himself, Mrs. CLINTON, and Mr. KENNEDY):

S. 27. A bill to establish the Daniel Webster Congressional Clerkship Program; to the Committee on Rules and Administration.

By Mr. SCHUMER:

S. 28. A bill to ensure that the courts of the United States may provide an impartial forum for claims brought by United States citizens and others against any railroad organized as a separate legal entity, arising from the deportation of United States citizens and others to Nazi concentration camps on trains owned or operated by such railroad, and by the heirs and survivors of such persons; to the Committee on the Judiciary.

By Mr. BROWN:

S. 29. A bill to amend the Internal Revenue Code of 1986 to increase the credit for the health insurance costs of eligible individuals, to expand such credit to individuals covered under COBRA, and to extend the period of COBRA continuation coverage for certain individuals; to the Committee on Finance.

By Mr. NELSON of Florida (for himself, Ms. SNOWE, Mrs. MCCASKILL, and Ms. KLOBUCHAR):

S. 30. A bill to amend the Communications Act of 1934 to prohibit manipulation of caller identification information; to the Committee on Commerce, Science, and Transportation.

By Mr. ENSIGN (for himself, Mr. BAYH, Mr. ISAKSON, Mrs. MCCASKILL, and Mr. SPECTER):

S. 163. A bill to amend the National Child Protection Act of 1993 to establish a permanent background check system; to the Committee on the Judiciary.

By Mr. ENSIGN:

S. 164. A bill to improve consumer access to passenger vehicle loss data held by insurers; to the Committee on Commerce, Science, and Transportation.

By Mr. KOHL (for himself and Mr. DURBIN):

S. 165. A bill to amend the Truth in Lending Act, to prevent credit card issuers from taking unfair advantage of college students and their parents, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mrs. HUTCHISON (for herself, Mr. CORNYN, Mr. BURR, Mr. ALEXANDER, Mr. ENZI, and Mr. VOINOVICH):

S. 166. A bill to amend title VII of the Civil Rights Act of 1964 to clarify the filing period applicable to charges of discrimination, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

S. Res. 9. A resolution commemorating 90 years of U.S.-Polish diplomatic relations, during which Poland has proven to be an exceptionally strong partner to the United States in advancing freedom around the world; to the Committee on Foreign Relations.

#### ADDITIONAL COSPONSORS

S. 1

At the request of Mr. REID, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 1, a bill to create jobs, restore economic growth, and strengthen America's middle class through measures that modernize the nation's infrastructure, enhance America's energy independence, expand educational opportunities, preserve and improve affordable health care, provide tax relief, and protect those in greatest need, and for other purposes.

S. 2

At the request of Mr. REID, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 2, a bill to improve the lives of middle class families and provide them with greater opportunity to achieve the American dream.

S. 3

At the request of Mr. REID, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 3, a bill to protect homeowners and consumers by reducing foreclosures, ensuring the availability of credit for homeowners, businesses, and consumers, and reforming the financial regulatory system, and for other purposes.

S. 4

At the request of Mr. REID, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 4, a bill to guarantee affordable, quality health coverage for all Americans, and for other purposes.

S. 5

At the request of Mr. REID, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 5, a bill to improve the economy and security of the United States by reducing the dependence of the United States on foreign and unsustainable energy sources and the risks of global warming, and for other purposes.

S. 6

At the request of Mr. REID, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 6, a bill to restore and enhance the national security of the United States.

S. 7

At the request of Mr. REID, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 7, a bill to expand educational opportunities for all Americans by increasing access to high-quality early childhood education and after school programs, advancing reform in elementary and secondary education, strengthening mathematics and science instruction, and ensuring that higher education is more affordable, and for other purposes.

S. 8

At the request of Mr. REID, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 8, a bill to return the Government to the people by reviewing controversial "midnight regulations" issued in the waning days of the Bush Administration.

S. 9

At the request of Mr. REID, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 9, a bill to strengthen the United States economy, provide for more effective border and employment enforcement, and for other purposes.

S. 10

At the request of Mr. REID, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 10, a bill to restore fiscal discipline and begin to address the long-term fiscal challenges facing the United States, and for other purposes.

S. 21

At the request of Mr. REID, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 21, a bill to reduce unintended pregnancy, reduce abortions, and improve access to women's health care.

S. 35

At the request of Mrs. HUTCHISON, the names of the Senator from Wyoming (Mr. ENZI) and the Senator from South Dakota (Mr. THUNE) were added as cosponsors of S. 35, a bill to provide a permanent deduction for State and local general sales taxes.

S. 42

At the request of Mr. ENSIGN, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 42, a bill to amend title II of the Social Security Act to preserve and protect Social Security benefits of American workers and to help ensure greater congressional oversight of the Social Security system by requiring that both Houses of Congress approve a totalization agreement before the agreement, giving foreign workers Social Security benefits, can go into effect.

S. 45

At the request of Mr. ENSIGN, the names of the Senator from Tennessee (Mr. ALEXANDER) and the Senator from South Carolina (Mr. DEMINT) were added as cosponsors of S. 45, a bill to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system.

At the request of Mr. THUNE, his name was added as a cosponsor of S. 45, *supra*.

S. 46

At the request of Mr. ENSIGN, the names of the Senator from Iowa (Mr. HARKIN) and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of S. 46, a bill to amend title XVIII of the Social Security Act to repeal the Medicare outpatient rehabilitation therapy caps.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. LUGAR (for himself, Mr. VOINOVICH, and Ms. MIKULSKI):



S. 47

At the request of Mr. ENSIGN, the names of the Senator from South Dakota (Mr. THUNE) and the Senator from Arizona (Mr. MCCAIN) were added as cosponsors of S. 47, a bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on telephone and other communication services.

S. 132

At the request of Mrs. FEINSTEIN, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 132, a bill to increase and enhance law enforcement resources committed to investigation and prosecution of violent gangs, to deter and punish violent gang crime, to protect law-abiding citizens and communities from violent criminals, to revise and enhance criminal penalties for violent crimes, to expand and improve gang prevention programs, and for other purposes.

S. 133

At the request of Mrs. FEINSTEIN, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 133, a bill to prohibit any recipient of emergency Federal economic assistance from using such funds for lobbying expenditures or political contributions, to improve transparency, enhance accountability, encourage responsible corporate governance, and for other purposes.

S. 160

At the request of Mr. LIEBERMAN, the names of the Senator from Missouri (Mrs. MCCASKILL), the Senator from Delaware (Mr. CARPER) and the Senator from Louisiana (Ms. LANDRIEU) were added as cosponsors of S. 160, a bill to provide the District of Columbia a voting seat and the State of Utah an additional seat in the House of Representatives.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS ON JANUARY 6, 2009

By Mr. SPECTER (for himself  
and Mr. CASEY):

S. 32. A bill to require the Federal Energy Regulatory Commission to hold at least 1 public hearing before issuance of a permit affecting public or private land use in a locality; to the Committee on Energy and Natural Resources.

Mr. SPECTER. Mr. President, I seek recognition to speak on legislation I am introducing that will require the Federal Energy Regulatory Commission to hold at least one public hearing before issuance of a permit affecting public or private land use in a locality. I introduced legislation on this issue at the end of the 110th Congress, and fully expect it to remain relevant as we move forward with upgrades to our energy infrastructure, possibly as part of an economic stimulus package. The legislation has been updated; namely, it now allows for a second hearing when officially requested by a county or local government to address issues not addressed at the original hearing.

Increasing demand for electricity throughout the Northeast is putting a strain on energy infrastructure in my State, necessitating new transmission lines and natural gas pipelines and the expansion of existing ones. In southwestern and northeast Pennsylvania transmission line expansions are planned over hundreds of miles of private property, while in the southeast natural gas pipeline expansions are underway.

There is no doubt these projects can be invasive, and rarely do they fail to be controversial. I make a point of touching all of Pennsylvania's 67 counties each year. In traveling Pennsylvania this Fall I heard a lot of complaints, which didn't come as a surprise. I heard frequently from constituents who oppose these infrastructure projects, and who felt their concerns were being ignored by the energy companies and by FERC.

I realize there will always be some opposition to large infrastructure projects. What is unacceptable, however, is for the people of my State to feel that their voices were not heard, that their issues were ignored. It may be the case that these projects are necessary. The Federal Energy Regulatory Commission is the authority, and in exercising its authority it must be sensitive to local concerns.

To address this I propose simply that FERC hold a hearing in these affected communities. In many cases this is already done, but my legislation makes it mandatory. State Public Utility Commissions, who have a great say in these matters, are beyond Congress' reach. But where the Federal Energy Regulatory Commission is involved we can take steps to ensure that our constituents' concerns receive due consideration. Holding a hearing may not lead to all sides agreeing on the proper route forward, but at the very least my Pennsylvania constituents will come away with the satisfaction of having publicly aired their grievances.

To ensure that constituent concerns are given all due consideration, my legislation allows for affected parties to petition for a second hearing, provided certain conditions are met. In order for a second hearing to occur, a county government, or a municipal government within the affected county, must petition the Federal Energy Regulatory Commission for a second hearing. A second hearing will only occur to address an issue that was not addressed at the initial hearing, and the hearing shall occur between 30 and 60 days after approval by the Federal Energy Regulatory Commission.

The safeguards included in this legislation are critical to protecting individual property rights. As the Nation moves forward in making needed updates to its infrastructure, defending citizens' constitutional right to redress their government with their concerns should be paramount for this Congress. I will continue to fight to allow my constituents to be heard when Federal

projects will affect their rights as homeowners and landowners.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BINGAMAN:

S. 22. A bill to designate certain land components of the National Wilderness Preservation System, to authorize certain programs and activities in the Department of the Interior and the Department of Agriculture, and for other purposes; read the first time.

Mrs. FEINSTEIN. Mr. President, I rise to speak to Senator BINGAMAN's introduction today of the Omnibus Public Land Management Act of 2009. I strongly support this bill and Senator BINGAMAN's leadership in sponsoring it, and urge my colleagues to vote for its prompt passage.

This omnibus legislation includes no fewer than 20 bills of interest to California, including 14 bills to increase our water supply and to restore our rivers and groundwater quality, 3 bills to designate additional wilderness areas, and 3 other National Park Service, Bureau of Land Management, and Forest Service bills.

I would like to speak at some length about one of these bills, the San Joaquin River Restoration Settlement Act, which I have introduced with Senator BOXER to bring to a close 18 years of litigation between the Natural Resources Defense Council, the Friant Water Users Authority and the U.S. Department of the Interior. Before I discuss the San Joaquin bill, however, I would like to review the other 19 California bills in the omnibus legislation introduced today. These include the following:

#### ADDITIONS TO NATIONAL WILDERNESS PRESERVATION SYSTEM

Eastern Sierra and Northern San Gabriel Wilderness,  
Riverside County Wilderness, and the Sequoia and Kings Canyon National Parks Wilderness;

#### BUREAU OF LAND MANAGEMENT

Tuolumne Band of Me-Wuk Indians of the Tuolumne Rancheria land exchange;

#### FOREST SERVICE

Mammoth Community Water District land conveyance;

#### NATIONAL PARK SERVICES

Tule Lake Segregation Center Resource Study;

#### BUREAU OF RECLAMATION

San Diego Intertie feasibility study,  
Madera Water Supply Enhancement Project authorization,  
Rancho California Water District project authorization,  
Santa Margarita River project authorization,  
Elsinore Valley Municipal Water District project authorization,  
North Bay Water Reuse Authority project authorization,  
Prado Basin Natural Treatment System Project authorization,  
Bunker Hill Groundwater Basin project authorization,

GREAT Project authorization,  
Yucaipa Valley Water District  
project authorization,  
Goleta Water District Water Dis-  
tribution System title transfer,  
San Gabriel Basin Restoration Fund,  
and the

Lower Colorado River Multi-Species  
Conservation Program

I would like to say a few words about  
the water project authorizations and  
wilderness bills, in addition to the San  
Joaquin River Settlement legislation.

In the Western U.S., drought, popu-  
lation growth, increasing climate vari-  
ability, and ecosystem needs make  
managing water supplies especially  
challenging. The 9 California water re-  
cycling projects included in the omni-  
bus bill offer a proven means to de-  
velop cost effective alternative water  
supply projects. Together they will  
help the state reduce its dependence on  
imported water from both the Lower  
Colorado River and Sacramento/San  
Joaquin Delta.

Among the other bills to benefit Cali-  
fornia water supply and quality, one  
codifies the Lower Colorado River  
Multi-Species Conservation Program,  
MSCP, a 50 year plan to protect endan-  
gered species and preserve wildlife  
habitat along the Colorado River.

The three wilderness bills in this  
package would together protect a wil-  
derness about 735,000 acres of land in  
Mono, Riverside, Inyo, and Los Angeles  
Counties, and within Sequoia-Kings  
Canyon National Park. This will pro-  
tect spectacular lands ranging from the  
High Sierras to the magnificent Cali-  
fornia deserts. I want to thank Senator  
BOXER in particular for her leadership  
on these bills.

I would like to devote most of my re-  
marks to the San Joaquin River Res-  
toration Settlement Act, a bill Senator  
BOXER and I have cosponsored that ap-  
proves, authorizes and helps fund an  
historic Settlement on the San Joa-  
quin River in California. This Settle-  
ment restores California's second long-  
est river, while maintaining a stable  
water supply for the farmers who have  
made the San Joaquin Valley the rich-  
est agricultural area in the world. One  
of the major benefits of this settlement  
is the restoration of a long-lost salmon  
fishery. The return of one of Califor-  
nia's most important salmon runs will  
create significant benefits for local  
communities in the San Joaquin Val-  
ley, helping to restore a beleaguered  
fishing industry while improving recre-  
ation and quality of life.

This San Joaquin Settlement bill is  
nearly identical to the bill that we in-  
troduced in the waning days of the  
109th Congress, and reintroduced at the  
beginning of the 110th Congress as S.  
27. However, the bill we are introducing  
today does reflect a few significant  
changes resulting from discussions  
among the numerous Settling Parties  
and various "Third Parties" in the San  
Joaquin Valley of California. During  
the past year the parties to the settle-  
ment and these affected third parties,

such as the San Joaquin River Ex-  
change Contractors, have agreed to  
certain changes to the legislation to  
make the measure PAYGO neutral and  
to enhance implementation of the set-  
tlement's "Water Management Goal"  
to reduce or avoid adverse water supply  
impacts to Friant Division long-term  
water contractors. The legislation that  
we are introducing today incorporates  
these changes, which are supported by  
the State of California and major water  
agencies on the San Joaquin River and  
its tributaries.

The Settlement has two goals: to re-  
store and maintain fish populations in  
the San Joaquin River, including a  
selfsustaining salmon fishery, and to  
avoid or reduce adverse water supply  
impacts to long-term Friant water con-  
tractors. Consistent with the terms of  
the Settlement, we expect that both of  
these goals will be pursued with equal  
diligence by the Federal agencies.

Without this consensus resolution of  
a long-running western water battle  
the parties will continue the fight, re-  
sulting in a court-imposed judgment. It  
is widely recognized that an outcome  
imposed by a court is likely to be  
worse for everyone on all counts: more  
costly, riskier for the farmers, and less  
beneficial for the environment.

The Settlement provides a frame-  
work that the affected interests can ac-  
cept. As a result, this legislation has  
enjoyed the strong support of the Bush  
Administration, California Governor  
Schwarzenegger's Administration, the  
environmental and fishing commu-  
nities and numerous California farmers  
and water districts, including the  
Friant Water Users Authority and its  
member districts that have been part  
of the litigation.

When the Federal Court approved the  
Settlement in late October, 2006, Sec-  
retary of the Interior Dirk Kempthorne  
praised the Settlement for launching  
"one of the largest environmental res-  
toration projects in California's his-  
tory." The Secretary further observed  
that "This Settlement closes a long  
chapter of conflict and uncertainty in  
California's San Joaquin Valley . . .  
and open[s] a new chapter of environ-  
mental restoration and water supply  
certainty for the farmers and their  
communities."

I share the Secretary's strong sup-  
port for this balanced and historic  
agreement, and it is my honor to join  
with Senator BOXER and a bipartisan  
group of California House Members  
who have previously introduced and  
supported this legislation to authorize  
and help fund the San Joaquin River  
Restoration Settlement.

During the past year we have worked  
with the parties to the settlement, af-  
fected third party agencies and the  
State of California to ensure that the  
legislation complies with congressional  
PAYGO rules.

In May of 2008, the Energy and Na-  
tural Resources Committee approved  
amendments agreed to by the parties  
that allow most Friant Division con-

tractors to accelerate repayment of  
their construction cost obligation to  
the Treasury. This change both in-  
creases the amount of up-front funding  
available for the settlement and de-  
creases the bill's PAYGO "score" by  
\$88 million, according to the Congres-  
sional Budget Office. In exchange for  
agreeing to early re-payment of their  
construction obligation, Friant water  
agencies will be able to convert their  
25-year water service contracts to per-  
manent repayment contracts.

The amendments also included new  
provisions to enhance the water man-  
agement efforts of affected Friant  
water districts. Specifically, the legis-  
lation now includes new authority to  
provide improvements to Friant Divi-  
sion facilities, including restoring ca-  
pacity in canals, reverse flow pump-  
back facilities, and financial assistance  
for local water banking and ground-  
water recharge projects, all for the pur-  
pose of reducing or avoiding impacts on  
Friant Division contractors resulting  
from additional River flows called for  
by the Settlement and this Legislation.

Near the end of the 110th Congress,  
parties to the Settlement and affected  
third parties came to agreement on ad-  
ditional provisions that would greatly  
facilitate passage of the bill by making  
it PAYGO-neutral. The legislation we  
are introducing today includes sub-  
stantial funding, including direct  
spending on settlement implementa-  
tion during the first ten year period of  
\$88 million gained by early repayment  
of Friant's construction obligation,  
and substantial additional funding au-  
thorized for annual appropriation until  
2019, after which it then becomes avail-  
able for direct spending again. This ad-  
ditional funding is generated by con-  
tinuing payments from Friant water  
users and will become directly avail-  
able to continue implementing the set-  
tlement by 2019 if it has not already  
been appropriated for that purpose be-  
fore then.

In 2006, California voters showed  
their support for the settlement by ap-  
proving Propositions 84 and 1E, that  
will help pay for the Settlement, with  
the State of California now commit-  
ting at least \$200 million toward the  
Settlement costs during the next 10  
years. When State-committed funding,  
direct spending authorized by the bill,  
and other highly reliable funding in-  
cluding pre-existing payments by water  
users are added together, there is at  
least \$380-390 million available for im-  
plementing the Settlement over the  
next 10 years, with additional dollars  
possible from additional federal appro-  
priations.

Nevertheless, it is my intention to  
work with the Chairman of the Energy  
and Natural Resources Committee dur-  
ing the 111th Congress to find a suit-  
able offset that will allow restoration  
of all of the direct spending envisioned  
by the settlement without waiting  
until 2019.

Today's legislation continues to in-  
clude substantial protections for other

water districts in California who were not party to the original settlement negotiations. These other water contractors will be able to avoid all but the smallest water impacts as a result of the settlement, except on a voluntary basis. These protections are accomplished while ensuring a timely and robust restoration of the River and without creating any new precedents for implementing the Endangered Species Act. Similarly, there is no preemption of State law and nothing in the bill changes any existing obligations of the United States to operate the Central Valley Project in conformity with state law.

The bill we are introducing today contains several new provisions to strengthen these third-party protections in light of the changes made to address PAYGO. These include safeguards to ensure that the San Joaquin River Exchange Contractors and other third parties will not face increased costs or regulatory burdens as a result of the PAYGO changes.

Support of this agreement is almost as far reaching as its benefits. This historic agreement would not have been possible without the participation of a remarkably broad group of agencies, stakeholders and legislators, reaching far beyond the settling parties. The Department of the Interior, the State of California, the Friant Water Users Authority, the Natural Resources Defense Council on behalf of 13 other environmental organizations and countless other stakeholders came together and spent countless hours with legislators in Washington to ensure that we found a solution that the large majority of those affected could support.

At the end of the day, I believe that this San Joaquin bill is something that we can all feel proud of, and I urge my colleagues to move quickly to approve this omnibus public lands legislation and provide the administration the authorization it needs to fully carry out the extensive restoration opportunities and other actions called for under the Settlement.

By Mr. KERRY (for himself and Mr. ROCKEFELLER):

S. 24. A bill to amend the Internal Revenue Code of 1986 to strengthen the earned income tax credit; to the Committee on Finance.

Mr. KERRY. Mr. President, today Senator ROCKEFELLER and I are introducing the Strengthen the Earned Income Tax Credit Act of 2009. Since 1975, the earned income tax credit, EITC, has been an innovative tax credit which helps low-income working families. President Reagan referred to the EITC as "the best antipoverty, the best pro-family, the best job creation measure to come out of Congress." According to the Center on Budget and Policy Priorities, the EITC lifts more children out of poverty than any other government program.

It is time for us to reexamine the EITC and determine where we can

strengthen it. Census data and the events of Hurricane Katrina reiterated the fact that there is a group of Americans that are falling behind. The poverty rate for 2007 was 12.5 percent and this is basically the same as the rate for 2006. In 2007, there were 37.3 million living in poverty.

We need to help the low-income workers who struggle day after day trying to make ends meet. They have been left behind in the economic policies of the last 8 years. We need to begin a discussion on how to help those that have been left behind. The EITC is the perfect place to start.

The Strengthen the Earned Income Tax Credit Act of 2009 strengthens the EITC by making the following four changes: reducing the marriage penalty; increasing the credit for families with three or more children; expanding credit amount for individuals with no children; and simplifying the credit.

First, the legislation increases marriage penalty relief and makes it permanent. In the way that the EITC is currently structured, many single individuals that marry find themselves faced with a reduction in their EITC. The tax code should not penalize individuals who marry.

Second, the legislation increases the credit for families with three or more children. Under current law, the credit amount is based on one child or two or more children. This legislation would create a new credit amount based on three or more children. One of the purposes of the EITC is to lift families above the poverty level. Because the EITC adjustment for family size is limited to two children, over time large families will not be kept above the poverty threshold.

Under current law, the maximum EITC for an individual with two or more children is \$5,028 and under this legislation, the amount would increase to \$5,656 for an individual with three or more children. Increasing the credit amount would make more families eligible for the EITC. Currently, an individual with three children and income at and above \$40,295 would not benefit from the credit. Under this legislation, an individual with children and income under \$43,276 would benefit from the EITC.

Third, this legislation would increase the credit amount for childless workers. The EITC was designed to help childless workers offset their payroll tax liability. The credit phase-in was set to equal the employee share of the payroll tax, 7.65 percent. However, in reality, the employee bears the burden of both the employee and employer portion of the payroll tax.

For 2008, the EITC will fully offset the employee share of payroll taxes only for childless workers earning less than \$5,720. A typical single childless adult will begin to owe Federal income taxes in addition to payroll taxes when his or her income is only \$10,655, which is below the poverty line.

The decline in the labor force of single men has been troubling. Boosting

the EITC for childless workers could be part of solution for increasing work among this group. Increasing the EITC for families has increased labor rates for single mothers and hopefully, it can do the same for this group.

This legislation doubles the credit rate for individual taxpayers and married taxpayers without children. The credit rate and phase-out rate of 7.65 percent is doubled to 15.3 percent. For 2007, the maximum credit amount for an individual would increase from \$457 to \$913. The doubling of the phase-out results in taxpayers in the same income range being eligible for the credit. In addition, the legislation would increase the credit phase-out income level from \$7,470 to \$13,800 for 2009 and \$14,500 for 2010.

Under current law, workers under age 25 are ineligible for the childless workers EITC. The Strengthen the Earned Income Tax Credit Act of 2009 would change the age to 21. This age change will provide an incentive for labor for less-educated younger adults.

Fourth, the Strengthen the Earned Income Tax Credit Act of 2009 simplifies the EITC by modifying the abandoned spouse rule, clarifying the qualifying child rules, and repealing the disqualified investment test. Current rules require parents to file a joint tax return to claim the EITC. This can create difficulty for separated parents. If parents are separated and not yet divorced, complex rules govern whether the custodial parent may claim the EITC if a separate return is filed. The custodial parent must be able to claim head-of-household filing status. This test requires that a parent must pay more than half of household expenses from her own earnings, rather than from child support payments or program benefits. Under this legislation, the requirements by permitting a separated parent who lives with for more than six months of the year and also lives apart from his/her spouse for at least the final six months of the year to claim the EITC.

Under current law, two adults who live in the same household with a child may each qualify to claim the child for the EITC, but only one taxpayer may claim the child and the other taxpayer is not eligible to claim the childless worker EITC. Under this legislation, filers who are eligible to claim a child for the EITC but do not do so are eligible to claim the smaller EITC for workers not raising a child. For example, a mother and aunt living in the same house who are both qualified to claim the child would be able to receive the EITC. The one who claims the child would get the larger amount and the other would be eligible for the smaller childless worker credit.

Under current law, low-income filers are ineligible for the EITC if they have investment income such as interest, dividends, capital gains, rent or royalties that exceeds \$3,950 a year. Very few EITC claimants have investment income above this level. This income

test creates a “cliff” because those workers with investment income of \$2,951 would be unable to claim any EITC. This provision discourages savings among low- and moderate-income families. Under this legislation, the investment income test would be repealed.

This legislation will help those who most need our help. It will put more money in their pay check. We need to invest in our families and help individuals who want to make a living by working. I urge my colleagues to support an expansion of the EITC.

By Mrs. LINCOLN:

S. 26. A bill to amend the Internal Revenue Code of 1986 to reset the income threshold used to calculate the refundable portion of the child tax credit and to repeal the sunset for certain prior modifications made to the credit; to the Committee on Finance.

Mrs. LINCOLN. Mr. President, I come before the Senate to once again raise an issue that is near and dear to my heart—an issue that is of great importance to working families across this country. In 2001 and again in 2003, Senator SNOWE and I worked together to ensure that low-income working families with children receive the benefit of the Child Tax Credit. Last year, we were successful in improving the credit to ensure that more working families are able to receive its benefit for the tax year 2008, and I come here today to introduce legislation that will ensure this important provision continues to provide tax relief for our working families in the future.

The change we made to the credit last year will ensure the Child Tax Credit is available for all working families. As some of my colleagues may be aware, to be eligible for the refundable child tax credit, working families must meet an income threshold. If they don't earn enough, then they don't qualify for the credit. The problem is that some of our working parents are working full-time and yet they still don't earn enough to receive a meaningful benefit from this provision because they just don't have a high enough income.

It is wrong to provide the credit to some hardworking Americans, while leaving others behind. That is why we temporarily lowered the income threshold to \$8,500 in the Emergency Economic Stabilization Act last Fall. As a result, the single, working parent that is stocking shelves at your local grocery store for minimum wage will receive a meaningful credit this year.

This improvement to the credit must be made permanent to ensure that our tax code works for all Americans, especially those working parents forced to get by on the minimum wage. Today, we are introducing the Working Family Child Assistance Act, legislation which makes the refundable Child Tax Credit permanent and sets the income threshold at a reasonable level so that all working parents, including those

making the minimum wage, receive the benefit of the credit.

I look forward to working with my colleagues and the Administration to ensure that those low-income, hard-working families that need this credit the most do receive its benefits.

By Mr. NELSON, of Florida (for himself, Ms. SNOWE, Mrs. McCASKILL, and Ms. KLOBUCHAR):

S. 30. A bill to amend the Communications Act of 1934 to prohibit manipulation of caller identification information; to the Committee on Commerce, Science, and Transportation.

Mr. NELSON of Florida. Mr. President, American consumers and public safety officials increasingly find themselves confronted by scams in the digital age. One of the most recent scams is known as caller I.D. “spoofing.” Today, I am introducing a bipartisan bill with Senators SNOWE, McCASKILL and KLOBUCHAR—The Truth in Caller I.D. Act of 2009—to put an end to fraudulent caller I.D. spoofing.

What is caller I.D. spoofing? It's a technique that allows a telephone caller to alter the phone number that appears on the recipient's caller I.D. system. In other words, spoofing allows someone to hide behind a misleading telephone number to try to scam consumers or trick law enforcement officers.

Let me give you a few shocking examples of how caller I.D. spoofing has been exploited during the past 4 years:

In one very dangerous hoax, a sharpshooting SWAT team was forced to shut down a neighborhood in New Brunswick, NJ, after receiving what they believed was a legitimate distress call. But what really happened was a caller used spoofing to trick law enforcement into thinking that the emergency call was coming from a certain apartment in that neighborhood. It was all a cruel trick perpetrated with a deceptive telephone number.

In another example, identity thieves bought a number of stolen credit card numbers. They then called Western Union, set up caller I.D. information to make it look like the call originated from the credit card holder's phone line, and used the credit card numbers to order cash transfers, which the thieves then picked up.

In other instances, callers have used spoofing to pose as Government officials. In the past year, there have been several instances of fraudsters using caller I.D. fraud to pose as court officers calling to say that a person has missed jury duty. The caller then says that a warrant will be issued for their arrest, unless a fine is paid during the call. The victim is then induced to provide credit card or bank information over the phone to pay the “fine.”

Furthermore, while these examples are serious enough, think about what would happen if a stalker used caller I.D. spoofing to trick his victim into answering the telephone, giving out

personal information, or telling the person on the other end of the line about their current whereabouts. The results could be tragic.

There are a number of Internet Web sites—with names like Tricktel.com and Spoofel.com—that sell their services to criminals and identity thieves. Any person can go to one of these Web sites, pay money to order a spoofed telephone number, tell the Web site which phone number to reach, and then place the call through a toll-free line. The recipient is then tricked when he or she sees the misleading phone number on his or her caller I.D. screen.

A new Web site—Dramatel.com—even offers a prepaid calling card platform that combines a caller I.D. spoofing service with other features that allow a fraudster to disguise their voice and record the entire call. It's hard to imagine what legitimate purpose this service could possibly offer—other than providing a tailor-made mechanism for criminals to prey on innocent victims.

In essence, these Web sites provide the high-tech tools that criminals need to do their dirty work. Armed with a misleading phone number, an identity thief can call a consumer pretending to be a representative of the consumer's credit card company or bank. The thief can then ask the consumer to authenticate a request for personal account information. Once a thief gets hold of this sensitive personal information, he can access a consumer's bank account, credit card account, health information, and who knows what else.

Furthermore, even if a consumer does not become a victim of stalking or identity theft, there is a simple concept at work here. Consumers pay money for their caller I.D. service. Consumers expect caller I.D. to be accurate because it helps them decide whether to answer a phone call and trust the person on the other end of the line.

In June 2007, I chaired a Senate Commerce Committee hearing on caller I.D. spoofing. At that hearing, there was broad consensus that caller I.D. spoofing was quickly developing into a major area of consumer abuse and criminal fraud. Unfortunately, the Federal Communications Commission and the Federal Trade Commission have been slow to act on this latest scam. In the meantime, many spoofing companies and the fraudsters that use them believe their activities are, in fact, legal. Well, it's time to make it crystal clear that spoofing is a scam and is not legal.

How does the bipartisan Truth in Caller I.D. Act of 2009 address the problem of caller I.D. spoofing?

Quite simply, this bill plugs the hole in the current law and prohibits fraudsters from using caller identification services to transmit misleading or inaccurate caller I.D. information with the intent to defraud, cause harm, or wrongfully obtain anything of value. This prohibition covers both traditional telephone calls and calls made

using Voice-Over-Internet, VoIP, service.

Anyone who violates this anti-spoofing law would be subject to a penalty of \$10,000 per violation or up to one year in jail, as set out in the Communications Act. Additionally, this bill empowers States to help the Federal Government track down and punish these fraudsters.

I invite my colleagues to join Senators SNOWE, McCASKILL, KLOBUCHAR and myself in supporting the Truth in Caller I.D. Act of 2009. We should not waste any more time in protecting consumers and law enforcement authorities against caller I.D. spoofing.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 30

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Truth in Caller ID Act of 2009".

#### SEC. 2. PROHIBITION REGARDING MANIPULATION OF CALLER IDENTIFICATION INFORMATION.

Section 227 of the Communications Act of 1934 (47 U.S.C. 227) is amended—

(1) by redesignating subsections (e), (f), and (g) as subsections (f), (g), and (h), respectively; and

(2) by inserting after subsection (d) the following new subsection:

“(e) PROHIBITION ON PROVISION OF INACCURATE CALLER IDENTIFICATION INFORMATION.—

“(1) IN GENERAL.—It shall be unlawful for any person within the United States, in connection with any telecommunications service or IP-enabled voice service, to cause any caller identification service to knowingly transmit misleading or inaccurate caller identification information with the intent to defraud, cause harm, or wrongfully obtain anything of value, unless such transmission is exempted pursuant to paragraph (3)(B).

“(2) PROTECTION FOR BLOCKING CALLER IDENTIFICATION INFORMATION.—Nothing in this subsection may be construed to prevent or restrict any person from blocking the capability of any caller identification service to transmit caller identification information.

“(3) REGULATIONS.—

“(A) IN GENERAL.—Not later than 6 months after the date of enactment of the Truth in Caller ID Act of 2009, the Commission shall prescribe regulations to implement this subsection.

“(B) CONTENT OF REGULATIONS.—

“(i) IN GENERAL.—The regulations required under subparagraph (A) shall include such exemptions from the prohibition under paragraph (1) as the Commission determines is appropriate.

“(ii) SPECIFIC EXEMPTION FOR LAW ENFORCEMENT AGENCIES OR COURT ORDERS.—The regulations required under subparagraph (A) shall exempt from the prohibition under paragraph (1) transmissions in connection with—

“(I) any authorized activity of a law enforcement agency; or

“(II) a court order that specifically authorizes the use of caller identification manipulation.

“(iii) EFFECT ON OTHER LAWS.—Nothing in this subsection shall be construed to author-

ize or prohibit any investigative, protective, or intelligence activities performed in connection with official duties and in accordance with all applicable laws, by a law enforcement agency of the United States, a State, or a political subdivision of a State, or by an intelligence agency of the United States.

“(4) REPORT.—Not later than 6 months after the enactment of the Truth in Caller ID Act of 2009, the Commission shall report to Congress whether additional legislation is necessary to prohibit the provision of inaccurate caller identification information in technologies that are successor or replacement technologies to telecommunications service or IP-enabled voice service.

“(5) PENALTIES.—

“(A) CIVIL FORFEITURE.—

“(i) IN GENERAL.—Any person that is determined by the Commission, in accordance with paragraphs (3) and (4) of section 503(b), to have violated this subsection shall be liable to the United States for a forfeiture penalty. A forfeiture penalty under this paragraph shall be in addition to any other penalty provided for by this Act. The amount of the forfeiture penalty determined under this paragraph shall not exceed \$10,000 for each violation, or 3 times that amount for each day of a continuing violation, except that the amount assessed for any continuing violation shall not exceed a total of \$1,000,000 for any single act or failure to act.

“(ii) RECOVERY.—Any forfeiture penalty determined under clause (i) shall be recoverable pursuant to section 504(a).

“(iii) PROCEDURE.—No forfeiture liability shall be determined under clause (i) against any person unless such person receives the notice required by section 503(b)(3) or section 503(b)(4).

“(iv) 2-YEAR STATUTE OF LIMITATIONS.—No forfeiture penalty shall be determined or imposed against any person under clause (i) if the violation charged occurred more than 2 years prior to the date of issuance of the required notice or notice or apparent liability.

“(B) CRIMINAL FINE.—Any person who willfully and knowingly violates this subsection shall upon conviction thereof be fined not more than \$10,000 for each violation, or 3 times that amount for each day of a continuing violation, in lieu of the fine provided by section 501 for such a violation. This subparagraph does not supersede the provisions of section 501 relating to imprisonment or the imposition of a penalty of both fine and imprisonment.

“(6) ENFORCEMENT BY STATES.—

“(A) IN GENERAL.—The chief legal officer of a State, or any other State officer authorized by law to bring actions on behalf of the residents of a State, may bring a civil action, as parens patriae, on behalf of the residents of that State in an appropriate district court of the United States to enforce this subsection or to impose the civil penalties for violation of this subsection, whenever the chief legal officer or other State officer has reason to believe that the interests of the residents of the State have been or are being threatened or adversely affected by a violation of this subsection or a regulation under this subsection.

“(B) NOTICE.—The chief legal officer or other State officer shall serve written notice on the Commission of any civil action under subparagraph (A) prior to initiating such civil action. The notice shall include a copy of the complaint to be filed to initiate such civil action, except that if it is not feasible for the State to provide such prior notice, the State shall provide such notice immediately upon instituting such civil action.

“(C) AUTHORITY TO INTERVENE.—Upon receiving the notice required by subparagraph (B), the Commission shall have the right—

“(i) to intervene in the action;

“(ii) upon so intervening, to be heard on all matters arising therein; and

“(iii) to file petitions for appeal.

“(D) CONSTRUCTION.—For purposes of bringing any civil action under subparagraph (A), nothing in this paragraph shall prevent the chief legal officer or other State officer from exercising the powers conferred on that officer by the laws of such State to conduct investigations or to administer oaths or affirmations or to compel the attendance of witnesses or the production of documentary and other evidence.

“(E) VENUE; SERVICE OR PROCESS.—

“(i) VENUE.—An action brought under subparagraph (A) shall be brought in a district court of the United States that meets applicable requirements relating to venue under section 1391 of title 28, United States Code.

“(ii) SERVICE OF PROCESS.—In an action brought under subparagraph (A)—

“(I) process may be served without regard to the territorial limits of the district or of the State in which the action is instituted; and

“(II) a person who participated in an alleged violation that is being litigated in the civil action may be joined in the civil action without regard to the residence of the person.

“(7) DEFINITIONS.—For purposes of this subsection:

“(A) CALLER IDENTIFICATION INFORMATION.—The term ‘caller identification information’ means information provided by a caller identification service regarding the telephone number of, or other information regarding the origination of, a call made using a telecommunications service or IP-enabled voice service.

“(B) CALLER IDENTIFICATION SERVICE.—The term ‘caller identification service’ means any service or device designed to provide the user of the service or device with the telephone number of, or other information regarding the origination of, a call made using a telecommunications service or IP-enabled voice service. Such term includes automatic number identification services.

“(C) IP-ENABLED VOICE SERVICE.—The term ‘IP-enabled voice service’ has the meaning given that term by section 9.3 of the Commission’s regulations (47 C.F.R. 9.3), as those regulations may be amended by the Commission from time to time.

“(8) LIMITATION.—Notwithstanding any other provision of this section, subsection (f) shall not apply to this subsection or to the regulations under this subsection.”.

By Mr. KOHL (for himself and Mr. DURBIN):

S. 165. A bill to amend the Truth in Lending Act, to prevent credit card issuers from taking unfair advantage of college students and their parents, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. KOHL. Mr. President, I rise today to introduce the Student Credit Card Protection Act of 2009 with my colleague Senator DURBIN. This legislation will help prevent college students from compiling massive credit card debt while in school.

College students have become the target of credit card companies advertising campaigns over the past 15 years. Many universities allow credit card companies to set up tables on campus and offer students free gifts in exchange for filling out a credit card

application. Additionally, students receive card solicitations through mail to their on-campus mailbox or at their home address even before they arrive at the university in the fall. These aggressive marketing strategies have worked and now close to 96 percent of college graduates hold a credit card, compared to 1994, when only half had one. The average college student graduates with close to \$3,000 in credit card debt, double the amount in 1994. In some very extreme cases, students are leaving school with multiple credit cards and debts amounting upwards of \$10,000.

Credit card debt can make it harder for graduates to rent an apartment, receive a car loan, or obtain a job after college. Due to the lack of financial education and complicated terms and conditions, many students find themselves in over their heads. The Student Credit Card Protection Act will help students avoid large credit card debt while forcing issuers to make more responsible loans. The bill requires credit card issuers to verify annual income of a full-time student and then extends a line of credit based on the income. For a student without a verifiable income, a parent, legal guardian or spouse must cosign the credit card and approve any increase in the credit limit. These simple underwriting requirements will make it more difficult for credit card companies to approve loans that are beyond a students' ability to repay and return to a more responsible lending policy.

It is imperative that we help minimize the amount of debt young consumers incur before entering into the workforce. On average, a student with a bachelors degree will leave school with \$18,000 in student loan debt. Paying for housing, health-care and student loans already place a financial strain on a recent college graduate. A huge credit card payment on top of all of the other bills can lead to financial ruin before young people even have a chance to get on their feet. This bill gives students the protection they deserve from irresponsible lending that can trap them in years of crushing debt repayment.

The current economic situation has exposed many bad habits of both the financial industry and the average consumer. The savings rate of our country has significantly declined over the past decade as consumer spending and borrowing steadily increased. While it is necessary for Congress to implement policies which will allow Americans to save more of their income, it is equally important for consumers to put into practice controlled and prudent spending habits.

## SUBMITTED RESOLUTIONS

SENATE RESOLUTION 9—COMMEMORATING 90 YEARS OF U.S.-POLISH DIPLOMATIC RELATIONS, DURING WHICH POLAND HAS PROVEN TO BE AN EXCEPTIONALLY STRONG PARTNER TO THE UNITED STATES IN ADVANCING FREEDOM AROUND THE WORLD

Mr. LUGAR (for himself, Mr. VOINOVICH, and Ms. MIKULSKI) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 9

Whereas the United States established diplomatic relations with the newly-formed Polish Republic in April 1919;

Whereas the year 2009 marks the 20th anniversary of democracy in Poland, as well as the 20th anniversary of the fall of communism in Poland;

Whereas the year 2009 marks the 10th anniversary of Poland's accession to the North Atlantic Treaty Organization (NATO);

Whereas the year 2009 marks the 50th anniversary of the Fulbright Educational Exchange Program in Poland;

Whereas Poland has overcome a legacy of foreign occupation and period of communist rule to emerge as a free and democratic nation;

Whereas Poland has strongly supported the United States diplomatically and militarily, as well as supporting United States-led efforts in combating global terrorism, and has contributed troops to the coalitions led by the United States in both Afghanistan and Iraq; and

Whereas Poland has cooperated closely with the United States on issues such as democratization, nuclear proliferation, human rights, regional cooperation in Eastern Europe, and reform of the United Nations: Now, therefore, be it

*Resolved*, That the Senate—

(1) celebrates the 90th anniversary of U.S.-Polish diplomatic relations;

(2) congratulates the Polish people on their great accomplishments as a free democracy; and

(3) expresses appreciation for Poland's steadfast partnership with the United States.

Mr. LUGAR. Mr. President, I rise today to offer a resolution commemorating several remarkable milestones in the U.S.-Poland partnership. This year marks the 90th anniversary of diplomatic relations between the United States and Poland, the 50th anniversary of the Fulbright Exchange Program with Poland, and the 10th anniversary of Poland's accession to NATO.

The U.S.-Polish friendship formally began in 1919 and has endured through two world wars, the Cold War, and the emergence of a vibrant democracy after the fall of communism. This partnership has been bolstered by two unqualified successes of U.S. diplomacy. The Fulbright Exchange Program has nurtured the pursuit of higher learning for Polish and American students, professors, and researchers, for many decades offering Poles a rare window into the opportunities afforded by democratic society. Such exchanges invigorated intellectual thought and creativity in Poland, Eastern Europe, and

the West and helped to hasten the dissolution of the Warsaw Pact.

Poland exhibited great energy in undertaking economic, political, and military reforms, and the NATO alliance was strengthened by Polish membership in 1999. Poland today remains the closest of our allies, having contributed great wherewithal to combating global terrorism and bringing stability to Afghanistan and Iraq. In recognition of the profound successes of the U.S.-Polish alliance, I am pleased to introduce this resolution congratulating the Polish people on their great accomplishments as a free democracy and expressing our country's appreciation for Poland's steadfast partnership.

I am hopeful that my colleagues will join me in supporting this important legislation.

## PRIVILEGES OF THE FLOOR

Ms. KLOBUCHAR. I ask unanimous consent that John Branscome, a detailee in my office, be granted the privileges of the floor for the duration of today's session.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—NOMINATIONS TO OFFICE OF INSPECTOR GENERAL

Mr. REID. Mr. President, as in executive session, I ask unanimous consent that the nominations to the Office of Inspector General, except the Office of Inspector General of the Central Intelligence Agency, be referred in each case to the committee having primary jurisdiction over the department, agency, or entity and, if and when reported in each case, then to the Committee on Homeland Security and Governmental Affairs for not to exceed 20 calendar days, except in cases when the 20-day period expires while the Senate is in recess or adjournment the committee shall have 5 additional calendar days after the Senate reconvenes to report the nomination, and that if the nomination is not reported after the expiration of that period, the nomination be automatically discharged and placed on the Executive Calendar.

The PRESIDING OFFICER. Without objection, it is so ordered.

## WEEKEND SESSION

Mr. REID. Mr. President, we are going to be in a weekend session. All Democratic Senators have been told this, and Republican Senators have been notified. We earlier anticipated that the vote would be early Sunday, but I have worked with the Senate staff and we are going to be protected with postcloture time by having that vote at 2 p.m. So what we will do is come in Sunday at 1 p.m. and have a vote at 2 p.m.

There are a few procedural games people can play, if they desire, and I



am confident they won't, but if they do, we are protected, and we will have that vote so that the 30 hours expires during the next day, which would be Monday. We are working toward not being in session on Saturday. We think we can do that because some people have issues that they want to be protected, and I think we can do that. But at least for now—not for now; period—we are going to vote at 2 p.m. on Sunday, and everyone should know that. I know there are a lot of people who have plans, but there has been adequate notice.

I mentioned here this morning, and I repeat, that President-elect Obama has said that there are people out there who would love to be able to work on a Sunday but they do not have a job, and this is the least we can do. The reason we are doing it is we have to move this large number of issues as quickly as we can.

This one matter we will finish early next week will be the result of 164 bills that have been held up. We are going to move then to Lilly Ledbetter, an important piece of legislation. When we finish that, we are going to do the children's health initiative, which doesn't take care of all the health care problems in this country, but it does solve the problem for millions of our children. Then we are going to move to the economic recovery plan, and there may be other things we have to do. For example, if President Bush sends us the TARP—that is the matter dealing with the financial bailout—we will have to deal with that. So we have a lot to do, and I hope everyone is understanding of the fact we have to vote on Sunday.

#### ORDERS FOR THURSDAY, JANUARY 8, 2009

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 10:30 a.m., Thursday, January 8; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and there then be a period of morning business, with Senators permitted to speak for up to 10 minutes each. I further ask that the Senate recess from 3:30 p.m. until 4:45 p.m. tomorrow to accommodate a special Democratic caucus meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### PROGRAM

Mr. REID. As a reminder, Senators will gather in the Senate Chamber at 12:45 p.m. to proceed to the House Chamber for a joint session to count the electoral ballots. The joint session will commence at 1 p.m.

#### ADJOURNMENT UNTIL 10:30 A.M. TOMORROW

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 7:09 p.m., adjourned until Thursday, January 8, 2009, at 10:30 a.m.

#### NOMINATIONS

Executive nominations received by the Senate:

##### IN THE AIR FORCE

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADES INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

##### To be major general

BRIGADIER GENERAL DONALD A. HAUGHT  
BRIGADIER GENERAL THOMAS J. HAYNES  
BRIGADIER GENERAL CRAIG D. MCCORD  
BRIGADIER GENERAL ROBERT M. STONESTREET  
BRIGADIER GENERAL EDWARD W. TONINI  
BRIGADIER GENERAL FRANCIS A. TURLEY

##### To be brigadier general

COLONEL MARGARET H. BAIR  
COLONEL JAMES H. BARTLETT  
COLONEL JORGE R. CANTRES  
COLONEL SANDRA L. CARLSON  
COLONEL STEPHEN D. COTTER  
COLONEL JAMES T. DAUGHERTY  
COLONEL GRETCHEN S. DUNKELBERGER  
COLONEL ROBERT A. HAMRICK  
COLONEL CHRIS R. HELSTAD  
COLONEL CECIL J. HENSEL, JR.  
COLONEL FRANK D. LANDES  
COLONEL ROBERT L. LEKER  
COLONEL RICKIE B. MATTSOON  
COLONEL MAUREEN MCCARTHY  
COLONEL JOHN E. MCCOY  
COLONEL JOHN W. MERRITT  
COLONEL THOMAS R. SCHIESS  
COLONEL RODGER F. SEIDEL  
COLONEL GLENN K. THOMPSON  
COLONEL DEAN L. WINSLOW  
COLONEL WILLIAM M. ZIEGLER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

##### To be major

EDMUND P. ZYNDA II

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

##### To be major

DANIEL C. GIBSON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

##### To be major

DONALD L. MARSHALL  
CHARLES E. PETERSON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

##### To be major

PAUL J. CUSHMAN  
DAMANI K. MITCHELL  
LUIS F. SAMBOLIN

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT TO THE GRADES INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531(A):

##### To be lieutenant colonel

CHRISTOPHER S. ALLEN  
RAY H. KRUEGER

##### To be major

LYMAN C. FOSTER  
DEEPA HARIPRASAD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

##### To be lieutenant colonel

RYAN R. PENDLETON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

##### To be lieutenant colonel

HOWARD L. DUNCAN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

##### To be colonel

JEFFREY R. GRUNOW  
DONA M. IVERSEN  
JAN LOUISE RHODES  
MARGARET W. SCHMIDT  
PAMELA T. SCOTT

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

##### To be colonel

EUGENE M. GASPARD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

##### To be colonel

MICHAEL R. POWELL  
VALERIE R. TAYLOR

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

##### To be colonel

MARY ELIZABETH BROWN  
GERALD J. LAURSEN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

##### To be colonel

GARY R. CALIFF  
GEORGE E. MEISTER  
C. MICHAEL PADAZINSKI

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

##### To be colonel

STEPHEN SCOTT BAKER  
ROBERT CHARLES DORMAN  
BRIAN F. HASKINS  
FRANK R. MILLER  
PHILLIP E. PARKER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

##### To be colonel

JOSEPH ALLEN BANNA  
TRACI D. GUARINIELLO  
PATRICIA J. HAMMON  
WILLIAM E. MOXLEY  
MICHAEL W. MUMBACH  
ERIC D. PLACKE  
CAROL A. POWERS  
DAVID C. STEWART  
JOSEPH TOCK

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

##### To be colonel

KEITH A. ACREE  
TODD S. BAKITA  
WILLIAM JOHN BANKS  
BRIAN SCOTT BRANDNER  
THOMAS M. BUCKNER  
CATHLEEN M. BULLARD  
THOMAS D. CHALEKI  
DAVID A. CLOSEN  
PATRICK LOUIS CLOUTIER  
JOHN J. COLLINS, JR.  
ANTHONY J. COMTOIS  
JOETTE D. DAUGHERTY  
GARY M. DOBBINS  
GERARD A. DUBLIN  
TIMOTHY W. FARQUHAR  
WILLIAM R. FINGAR  
DALE C. FRIDLEY  
STEVEN B. FULAYTAR  
JOSEPH JOHN GLEBOCKI  
JOHN RAYMOND GREENE  
MICHAEL C. GRIECO  
DOUGLAS E. HALL  
JEFFREY W. HIGGINS  
KENNETH D. HONAKER  
JOHN D. HUNT  
SCOTT F. HUTCHINS  
GREGORY C. JONES  
KURT D. JONES  
NICHOLAS KOSKIVACIRCA  
BRIAN J. KRAMER  
GREGORY D. LEE  
JAMES E. LEHMAN  
ROBERT M. LINDELL  
ROBERT S. LIPIRA  
PAUL A. LOOMIS  
JULIO R. LOPEZ  
CINDY G. LUNDHAGEN  
WILLIAM H. MASON, JR.  
THEODORE S. MATHEWS, JR.  
GALEN W. MAYES  
ROBERT K. MCCUTCHEN, JR.  
STEPHEN V. MOTYLINSKI

TIMOTHY E. NELSON  
BRETT A. NEWMAN  
JOHN E. PATCHETT  
THOMAS O. PEMBERTON  
EDWARD P. PERNOTTO  
ROY A. PETERSON  
RAYMOND F. PIJMA  
BRIAN A. RENO  
MICHAEL L. RICCI  
JOHN S. RUSSELL  
KEITH D. SCHULTZ  
STEPHEN L. SEAMAN  
MICHAEL C. SHIEH  
DARRIN SIMMONDS  
ROBERT J. STANTON  
JOHN P. STOKES  
STEVEN J. TALLEY  
ROGER J. TANNER  
BRUCE R. TAYLOR  
DAVID L. THIRTYACRE  
MARK C. WESTON  
GREGORY G. WEYDERT  
RONALD A. WILT  
ROBERT J. WITTMANN  
DERIC K. WONG  
JAMES R. WYATT, JR.  
STEVEN L. YOUSSEI

#### IN THE ARMY

THE FOLLOWING NAMED INDIVIDUAL TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

#### *To be colonel*

SCOTT A. GRONEWOLD

THE FOLLOWING NAMED INDIVIDUALS TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

#### *To be colonel*

ROBERT L. KASPAR, JR.  
DAVID K. SCALES

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

#### *To be colonel*

EMMETT W. MOSLEY

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

#### *To be colonel*

ANDREW C. MEVERDEN  
APRIL M. SNYDER

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

#### *To be lieutenant colonel*

DOUGLAS M. COLDWELL  
WAYNE W. KIM

#### *To be major*

REGINA S. BAHTEN  
CHARLES DODSON  
EUGENE L. HART  
STEPHEN MONTALDI

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY VETERINARY CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

#### *To be major*

THOMAS S. CAREY

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

#### *To be major*

SCOTTIE M. EPPLER

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY DENTAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

#### *To be major*

PIERRE R. PIERCE

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY NURSE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

#### *To be major*

CHERYL A. CREAMER  
AGA E. KIRBY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY VETERINARY CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

#### *To be major*

KATHRYN A. BELILL

JOCELIN S. BLAKE  
MARLA K. BRUNELL  
NICHOLAS R. CABANO  
SCOTT C. CHAMBERLIN  
BARBARA CLOUTIER  
DAVID COX  
THOMAS H. EDWARDS  
SCOTT J. GOLDMAN  
PATRICK J. GRIMM  
LANE A. HANSEN  
KATHERYN E. HANSON  
ROBERT V. HAWLEY  
ERIN H. HUISINGA  
MICHELLE A. JEFFERSON  
EILEEN K. JENKINS  
SHANNON H. LACY  
GREGORY S. LAUGHLIN  
ERIC D. LEE  
JAMES PRATT  
CHRISTOPHER SCHELLHASE  
JUSTIN R. SCHLANSER  
DANIELLE M. TACK  
SUZANNE R. TODD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SPECIALIST CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

#### *To be major*

CHRISTOPHER ALLEN  
JOHN S. BARNETT  
SCOTT J. BAUMGARTNER  
RONNY P. BIGHAM  
CHARLES G. BLAKE  
ROBERT W. BRADLEY  
DARREN C. BRISENO  
DAVID W. BROUSSARD  
JAMES M. BRUMLEY  
KEVIN W. BURNHAM  
JAMES P. BURNS  
TED T. CHAPMAN  
MAE H. CISNEROS  
JEFFREY W. CLARK  
CHRISTOPHER B. COLE  
ANDREW D. CONTRERAS  
ROBERT J. CROUCH III  
MICHAEL A. DAVIDSON  
EARL K. DOWNS  
JOSEPH S. ESTRADA  
THOMAS D. FELDMAN  
LORIE L. FIKE  
CHRISTOPHER A. FLAUGH  
WILLIAM P. GAFFNEY  
DAVID M. GANN  
SCOTT M. GILPATRICK  
LYNN L. GROSVENOR  
EDWARD A. HAIRSTON  
ROBERT R. HOWES  
COLEEN M. HURST  
ANTHONY A. JAMES  
NICHELLE A. JOHNSON  
JAMES J. JONES  
JOSEPH R. KARDOUNI  
MICHAEL S. KIM  
JOHN L. KINKEAD  
JOSEPH T. KLAPPERICH  
DAVID LARRES  
WILLIAM A. LORO  
DUSTIN S. MARTIN  
VANCIL B. MCNULTY  
CYNTHIA MCPHERSON  
BRYAN W. MEECE  
GEORGE S. MIDLA  
JONATHAN D. MONTE  
ALEX MORALES  
PHILIP B. OSSOWSKI  
MICHAEL J. PAGEL  
WAYNE F. PILZ  
YURI O. RIVERA  
DOUGLAS R. ROACH  
DAVID P. ROBBINS  
HOLLY J. ROBERTS  
MARTIN P. ROSE  
LUIS A. SANTIAGO  
JAMES R. SCHMID  
HEATHER L. SCHOPF  
CINDI J. SCHULER  
STEPHEN W. SEWARD  
MARK S. SHORT  
FORBES E. SMITH  
LISA M. SMURR  
MICHELLE R. SMYTH  
ZACK T. SOLOMON  
CHARLES L. STANLEY  
JERRY L. STARR  
RAYMOND A. STERLING  
CARRIE A. STORER  
YUN Y. UGAITAFI  
BRADLEY J. WARR  
RICK E. WHITLEY  
MICHAEL V. WINTERS  
D060522

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY NURSE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

#### *To be major*

JOHN L. AMENT  
MARIA O. ANGELES  
ANGELIKA R. AVERY  
KENNY BARAJAS  
DAVID E. BENNETT  
DWIGHT R. BERRY  
ALLAN J. BOUDREAU

DEREK A. BOWLS  
JASON J. BROOKHART  
KRISTAL R. BRYANT  
EDWARD F. BURKE  
LORI K. BURRELL  
RENEE L. BUSSE  
RUSSELL B. CARROLL  
SAWYER G. CASLEY  
MARGARET D. CECIL  
RHONDA L. CENTUOLO  
JO A. CLABAUGH  
RICHARD CLARK  
SHANNON M. COLE  
ADAMS J. COLEMAN  
YETTA E. CONCINA  
CHRISTOPHER L. CONNORS  
MICHAEL R. CORBIN  
ROBERT L. CORSON  
SARAH R. CREASON  
MARY A. CRISPIN  
NOVELLA L. CURRINGTON  
SHIRLEY DANIEL  
MIGUEL L. DELEON  
DAVID D. DEWITT  
TERRY R. DICKINSON  
TIM N. DINH  
BRENT L. DONMOYER  
LAUREN L. DOWLESS  
EDWARD E. DUNTON II  
JUDY J. ELSBURY  
MICHAEL S. FISHER  
JENNIFER L. FLORENT  
DREXEL D. FORBES  
CLAUDE E. FOURROUX  
MICHAEL S. FRANZ  
ROBERT K. FREDREGILL  
SILVANA R. FRENCH  
LAURA M. GALLAWAY  
RUBEN GARCIA  
RACHEL GEORGE  
ALVIN J. GIBBONS  
JAYNE A. GIBSON  
THURAYYA C. GILLIS  
CARRIE L. GIPSON  
LESLIE A. GOODWIN  
WENDY L. GRAY  
YVONNE M. HEIB  
WILLIAM R. HEHRMANN  
REGINALD A. HILLS  
LINDA G. HOUSTON  
INGRID L. HUFFMAN  
JEFFREY T. HULEN  
SARAH T. HUML  
JENNIFER R. HUXEL  
MARY E. ITTNER  
DETRA T. JACKSON  
LISA G. JACKSON  
RICHARD Y. JACOBSON, JR.  
KRISTIN D. JAUREGUI  
HYUN J. KANG  
STEVEN S. KERTES  
ANN K. KETZ  
MELODY A. KONGNDOMBE  
KJIA A. KOROWICKI  
ROBERT E. LAJERET  
DAVID D. LAMBERT  
GERALD G. LANGSTON  
THERESA L. LEWIS  
LARRY J. LINVILLE, JR.  
LAURA O. LORESON  
MARY M. MARAN  
STEPHANIE K. MARTINSON  
REINALDO MASGONZALEZ  
BILLIE J. MATTHEWS  
DORIANNE C. MAY  
REBECCA K. MCARTHUR  
MICHAEL C. MCKINNEY  
DEREK L. MEAUX  
EILEEN C. MELVILLE  
CHRISTOPHER G. METCALF  
LORI M. METCALP  
STEVEN T. MEYER  
JOHN L. MITCHELL, JR.  
IDA S. MONTGOMERY  
PILLY A. MORALESMATEO  
VINCENT B. MYERS  
LESLIE J. NANCE  
BIRGIT B. NOSALIK  
BRADLEY P. OBRIEN  
TRACY J. OSTROM  
OMETRIS M. PARKER  
LILLIAN S. PERKINS  
LISA D. PHILLIPS  
PAULINE A. POTTER  
LORI E. POYNTER  
CHRISTINE M. QUINTANA  
JAY M. RAMES  
BRENT K. RAMSEY  
DARRELL G. REAMER  
BRIAN H. REASONER  
ANGELA R. REDMOND  
COLLEEN M. REID  
RICHARD E. RICKLEY  
JENNIFER L. ROBINSON  
TORRES J. RODRIGUEZ  
JOSEPH A. ROMEO  
THERESA A. ROSS  
LINDA K. SCOTT  
WILLIAM S. SEDGWICK  
MARIA H. SHELTON  
DOUGLAS A. SIMMONS  
WYLIE K. SIMMONS  
DONNA C. SMAWLEY  
CHRISTOPHER T. STAKE  
MARK R. STIPSITS  
ROBERT M. STOHLER  
CATHERINE E. SUNDERLAND

ALICIA D. SURREY  
RUBY J. THOMAS  
SAFIYA S. THOMAS  
JEFFREY D. THOMPSON  
TRACY A. THORNTON  
JUSTIN T. VAUGHN  
DWAYNE D. WATSON  
SHEILA J. WEBB  
MATTHEW D. WELDER  
STEPHEN WELLINGTON  
JAMES H. WILSON  
MICHAEL W. WISSEMANN  
WENDY G. WOODALL

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

*To be major*

TERRY L. AITKEN  
ERIC J. ANSORGE  
JUSTIN AVERY  
MATTHEW T. BELL  
KENNETH R. BERRY  
ROBYN BETHEA  
AMY M. BIRD  
VAZQUEZ P. BONILLA  
KEVA R. BROWN  
LESLEY C. CALIX  
COLLEEN E. CANNONE  
DONALD W. CARDEN  
TELLIS L. CARR  
JOHN D. CARTER  
LAKISHIA T. CHEEFUS  
TROY D. CHINEVERE  
RICKEY CHRISTOPHER  
SIDNEY M. COBB  
MICHELLE COLACICCOMAYHUGH  
BRADLEY M. DAMSCHEN  
TAMBA DAUDA  
KATHRYN M. DAVIS  
KYMBERLY A. DEBEAUCCLAIR  
GRACE M. DENEKE  
MICHAEL R. DEVRIES  
ERICA R. DIJOSEPH  
CHRISTOPHER N. DUNCAN  
LIQUORI L. ETHERIDGE  
CHRISTOPHER C. EVERITT  
AMANDA J. FARLEY  
ERICH T. FELPS  
VANESA D. FINKLEA  
ERIC R. FLEMING  
CHADWICK B. FLETCHER  
ANTONIO FLORES  
RICHARD K. FLOYD  
BRIAN T. FREIDLINE  
JOLANDA L. J. GARDNER  
ROBERT G. GATES  
ANTHONY J. GENTILIA  
JALEH GHALANDARYSAFAVI  
DAVID L. GLAD  
TAMMY D. GLASCOE  
BRYAN T. GNADE  
RAINIER A. GONZALES  
MICHELLE J. GRADNIGO  
ANDREW R. GREGORY  
MATTHEW J. GRIESER  
BRENT W. GRUVER  
DANIEL M. GRUVER  
JIAN GUAN  
CASEY E. HAINES  
JAMES P. HALSTEAD  
CERISE R. HAMLIN  
CHRISTOPHER L. HANSEN  
JONATHAN M. HARTMAN  
NORVIS HAYGOOD  
TIFFANY N. HEADY  
MARK C. HEARD  
MICHAEL D. HIETT  
ADAM N. HOUE  
NORLAND V. JAMES  
THWANA JOHNSON  
DONALD C. JOHNSTON  
ALAN A. JONES  
JASON M. JONES  
PAUL J. KASSEBAUM  
MARILYN V. KEENE  
TODD M. KJEK  
CHRISTOPHER W. KISS  
KEL H. KRATZER  
ROBERT D. KUNKEL  
JOSEPH E. LABRIE III  
LESLIE M. LATIMORELORFILS  
JASON D. LING  
HERBERT LORFILS  
JOHN E. LOUCH  
ELIASIB LOZANO  
CLAUDIA S. LUNA  
LUCINDA LYONS  
MARILYN C. MACALOS  
JAMES C. MAKER  
DAVID R. MALDONADOLOPEZ  
JALALUDDIN A. MALIK  
MATTHEW J. MAPES  
JEFFREY J. MCCONIHAY  
HARRY MCDONALD, JR.  
SEAN P. MCDONALD  
PETER A. MIELLO  
CASSANDRA L. MIMS  
ZENITA E. MITCHELL  
ELLIS R. MOFFETT  
COHN R. MOON  
SEQUIN H. MOSLEY  
ALFRED H. NADER III  
CLAUDIA G. NOYOLA  
JAMES A. NUCE

KATHERINE M. NYGREN  
CHRISTOPHER J. OLIVER  
CHRISTIAN K. OLSON  
TRAVIS D. PAMENTER  
ANTHONY W. PATTERSON  
SHAWN M. PECINOVSKY  
LORENZA L. PETERSON  
NAOMI S. PETTYMADISON  
LALINI PILLAYCLARKE  
MARTIN J. REIDY III  
NATHANIEL J. ROBERTS  
DAVINA M. ROBINSON  
CZARVITTO J. ROGERS  
PAUL R. ROLEY  
SABRINA R. ROOKSTHWEATT  
EDUARDO J. ROSA III  
MARTIN A. RUSSELL  
ALAN G. SCHILANSKY II  
ANDREW T. SCHNAUBELT  
JEFFREY B. SCHNOOR  
STEPHANIE A. SIDO  
TRACY C. SMALL  
ANNETTE M. SMITH  
ROSE L. SMYTH  
SUSAN L. SNOW  
ERIC F. STEEN  
KIRSTEN F. SWANSON  
MATTHEW T. SWINGHOLM  
XIAOLIAN TAN  
MATTHEW P. TARJICK  
TERESA M. TERRY  
WILLIAM A. TUDOR, JR.  
SORAYA TURNER  
BRIAN M. VANHALL  
MICHAEL L. VANZILE  
JOSE M. VELAZQUEZ  
DARRIN M. VICSIK  
DAVID V. WALSH  
BRENDAN L. WATSON  
FRED K. WEIGEL  
MARC R. WELDE  
MICHAEL S. WHIDDON  
RACHEL J. WIENKE  
EMILE K. WIJNANS  
ROBERT V. WILLIAMS II  
SARAHTYAH T. WILSON

IN THE MARINE CORPS

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant colonel*

MATTHEW E. SUTTON

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant colonel*

ANDREW N. SULLIVAN

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant colonel*

TRACY G. BROOKS

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant colonel*

PETER M. BARACK, JR.  
JACOB D. LEIGHTY III

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant colonel*

DAVID G. BOONE  
JAMES A. JONES

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant colonel*

WILLIAM A. BURWELL  
BALWINDAR K. RAWALAYVANDEVOORT

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant colonel*

KURT J. HASTINGS  
CALVIN W. SMITH

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant colonel*

JAMES P. MILLER, JR.  
WALTER D. ROMINE, JR.

MARC TARTER

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

*To be major*

DAVID S. PUMMELL

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

*To be major*

ROBERT M. MANNING

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

*To be major*

MICHAEL A. SYMES

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

*To be major*

PAUL A. SHIRLEY

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

*To be major*

RICHARD D. KOHLER

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

*To be major*

JULIE C. HENDRIX  
MAURO MORALES

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

*To be major*

CHRISTOPHER N. NORRIS  
RICHARD P. OWENS  
MARK S. ROY  
SAMUEL W. SPENCER III

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

*To be major*

ANTHONY M. NESBIT  
PAUL E. RICHARD  
PAUL ZACHARZUK

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

*To be major*

GREGORY R. BIEHL  
JOHN F. REYNOLDS, JR.  
BRYAN S. TEET

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

*To be major*

TRAVIS R. AVENT  
GREGG R. EDWARDS

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

*To be major*

JOSE A. FALCHE  
CHRISTOPHER L. FIELDS  
DONALD A. JOHNSON  
CLENNON ROE III

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

*To be major*

KEITH D. BURGESS  
CHRISTOPHER S. EICHNER  
GERALD D. HABIGER  
TROY A. KACZMARSKI  
DANIEL C. KOCH  
BRIAN J. SPOONER

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE

UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

*To be major*

MARK L. HOBIN  
GARY S. LIDDELL  
TERRY G. NORRIS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

*To be colonel*

KEVIN J. ANDERSON  
WALTER W. AUDSLEY  
LANCE S. BOOKLESS  
BRUCE L. BROWN  
ROBERT G. CAGLE, JR.  
LOUIS CALA  
VINCENT P. CODISPOTI  
DEAN E. CRAFT  
ERIC P. CRUDO  
LEONARD J. DEFRANCISCI  
THOMAS H. GOESSMAN  
MICHAEL A. HALT  
GARRET H. HUBBARD  
JAY J. KRAIL  
JOSEPH R. MAGUIRE  
SCOTT E. MAKER  
MICHAEL A. MARTIN  
KEVIN J. MULLALLY  
JAMES M. MUMMA

DAVID E. OBRIEN  
SEAN E. PECHON  
SCOTT T. PETERSON  
GERARDO L. PISCOPO  
MICHAEL J. STOUGHTON  
THOMAS W. WHITEHOUSE  
EDWARD P. WOJNAROSKI, JR.

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be commander*

DEANDREA G. FULLER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant commander*

STEVEN J. SHAUBERGER

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

*To be lieutenant commander*

KAREN M. STOKES

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

*To be captain*

SCOTT D. SHIVER

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADES INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 531:

*To be commander*

CRAIG W. AIMONE  
DIRK B. PADGETT

*To be lieutenant commander*

DAVID R. COLEMAN  
JAMES B. EASTON  
RICHARD C. PLEASANTS  
HIEN T. TRINH  
MATTHEW M. WILLS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be captain*

DANIEL G. CHRISTOFFERSON  
JAMES L. GRAY, JR.  
DENNIS J. MCKELVEY  
RODNEY A. MILLS  
GLENN W. PENDRICK  
ALBERT D. PERPUSE

# EXTENSIONS OF REMARKS

HONORING LT. BENJAMIN BERGER

**HON. HOWARD L. BERMAN**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 6, 2009*

Mr. BERMAN. Madam Speaker, I am honored to pay tribute to my very good friend, Lieutenant Benjamin Berger, a veteran of the U.S. Navy. In honor of his courage, initiative and devotion to duty, he was awarded the following decorations: Silver Star for heroism during the Normandy invasion, and the Presidential Unit Citation. On April 16, 2008, Lt. Berger was bestowed the title of "Chevalier" of the Legion of Honor by the President of the French Republic.

Born in Chicago, Illinois in June 1920, Ben graduated from Sullivan High School and obtained his degree from Loyola University. After working part time for the U.S. Postal Service, he was inducted into the U.S. Navy as an officer in December 1942. Following basic training in Chicago, he was shipped off as a communications officer to the U.S. Amphibious Force, 3rd Division and participated in the invasions of North Africa and Sicily.

In December 1943, he was assigned to England and trained as a fire control officer in support of the U.S. Rangers. On June 6, 1944, he landed at Verville with the Army Ranger 2nd and 5th Battalions in one of D-Day's most dangerous assignments. Lt. Berger organized critical naval gunfire control support not only for his unit, but also for another unit whose leadership had been disrupted during the landing chaos. His actions contributed to a successful assault on the important enemy gun emplacements above the cliffs at Point du Hoc and later the towns of Isigny and Grandcamp. Benjamin was separated from the U.S. Navy at Norfolk, Virginia in October 1945.

Ben married his first wife, Florine Perlman, in December 1941 and they had two children, Elise and Stephan. He retired from his position as Operations District Manager in Southern California for Thrifty Drug Stores in 1981. He married his current wife Rae Polland, who is a lovely vivacious lady, served as senior intern in my district office. They were married in June 2002, and now reside in Valley Village, California near their extended family.

Madam Speaker and distinguished colleagues, I ask you to join me in saluting Lieutenant Benjamin Berger for his impressive military career and dedicated service to the United States of America.

THE ECONOMIC RECOVERY  
THROUGH RESPONSIBLE HOME-  
OWNERSHIP ACT AND THE COM-  
MONSENSE AUTO RECOVERY  
(CAR) ACT

**HON. DAVID DREIER**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 6, 2009*

Mr. DREIER. Madam Speaker, today I have introduced a trio of bills that focus on my top legislative priority for the coming year: getting our economy growing again. The centerpiece of this plan is the Fair and Simple Tax (FAST) Act. I introduced this legislation in the previous Congress, and it remains my long-term goal for economic revitalization. The FAST Act would dramatically simplify and reduce the tax burden on Americans. By creating a simple, one-page tax form that retains the child credit and all major deductions, like mortgage interest, it would make the annual tax filing nightmare far more manageable. It would also implement a host of additional tax reforms, such as reducing the tax on capital gains and corporate income, permanently extending the R&D credit, and creating new incentives for long-term financial planning.

Implementing the FAST Act, however, is a long-term goal. As we work toward comprehensive reform, we must also pursue more immediate and targeted solutions to jumpstart our economy. That's why I introduced two additional pro-growth bills—aimed at the housing industry and the auto industry.

The Economic Recovery Through Responsible Homeownership Act would create new tax incentives for responsible home purchases. Those who make a down payment of 5, 10 or 15 percent will get a tax credit of \$2000, \$5000 or \$10,000 respectively. The housing crisis is at the root of our economic crisis. We need to encourage new purchases to stabilize the market, stop the free-fall in prices and restore the communities that have been plagued by foreclosures. But because irresponsible homeownership and predatory lending are partly to blame for the crisis in the first place, only a plan that rewards responsible action will succeed. This bill accomplishes both objectives.

I have also introduced the Commonsense Auto Recovery (CAR) Act to provide a boost to our ailing auto industry, without resorting to another bailout. The CAR Act draws on the same principle as my housing bill and creates a tax credit for car purchases, equal to the amount of the sales tax on the purchase. Any individual or small business owner is eligible for the credit. This is an important component of my pro-growth plan because the auto industry touches so many parts of our economy and workforce. The manufacturers, dealers, auto-parts makers and financiers—many of whom are small businesses—are all a part of the broad-based auto industry that has weakened considerably in this economy. Thousands of jobs have already been lost, and thousands

more are threatened. An effective and sustainable way to boost the industry is to encourage Americans to get back to their local car dealerships.

Addressing the immediate challenges of the weak housing and auto industries will provide a quick boost to our economy. These are critical short-term steps that must be taken. In the long run, we must act on the need for fundamental reform of our tax code to reduce the burden on families and businesses and simplify the tax-filing process. We cannot restore our economy without both a short-term and long-term view. I believe that this package of tax bills is a comprehensive approach to getting our economy back on a path of growth and I look forward to working with my colleagues in a bipartisan way to achieve this goal.

THE GREEN SCHOOLS ACT OF 2009

**HON. MARK STEVEN KIRK**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 6, 2009*

Mr. KIRK. Madam Speaker, I am proud to stand here today to introduce legislation with Congressman CHRISTOPHER CARNEY (D-PA) which will provide healthier and more productive environments for students.

As energy prices soar and state budgets shrink, schools around the country need more assistance than ever to keep afloat. Congress can provide a commonsense way to help schools achieve fiscal sustainability by helping them to reach energy sustainability through energy efficient and other green improvements.

According to the independent U.S. Green Buildings Council which established a nationally recognized green school certification program, the LEED rating system, green schools on average save \$100,000 per year. This is enough to hire two new teachers, buy 500 new computers or purchase 5,000 new textbooks. In fact, if all new school construction or school renovations went green, energy savings alone would total \$20 billion over the next 10 years.

Green schools also provide better environments for our children, improving student achievement and health. Students at LEED certified schools perform 20 percent better on reading tests and 24 percent better on math tests than the average student. There are nearly 40 percent fewer asthma occurrences at green schools, contributing to the decreased number of sick days students experience.

Providing green school improvements are extremely cost effective. Construction costs on average less than \$3 per square foot more to build, yet saves roughly \$12 per square foot in energy and water savings.

Some schools are already investing in green school technology to take advantage of all the benefits it provides. I am proud that a school

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

in my Congressional District of northern Illinois, Thomas Middle School, installed a one-kilowatt solar array on its roof in November 2007 with a \$10,000 grant from the Illinois Clean Energy Community Foundation. The photovoltaic panel produced enough energy to date to offset more than 730 pounds of carbon dioxide. The output so far is equivalent to the energy needed to power 6 homes for one day, or operate one TV for 2,565 hours.

Thomas Middle School teachers also use the solar array data to help teach students about the importance of renewable energy. Classes use the information from the solar panels in experiments about energy conservation and environmental protection.

I applaud Thomas Middle School Principal Tom O'Rourke and science department chair Jay Bingaman for taking such an initiative to improve the school, environment and education of their students.

We are introducing the Green Schools Act to encourage schools all around the country to follow the example of Thomas Middle School. This legislation provides up to \$10,000 in matching grants for schools to undertake green construction and improvement projects. The bill would also reauthorize the Qualified Zone Academy bonds program, which is used to fund renovations and repairs at schools in low-income neighborhoods. The bill would require that any improvements or rehabilitations be energy efficient. Since its establishment in 1997, the QZAB program has provided nearly \$1.7 billion for school improvements projects.

I hope my colleagues will join me in supporting this bill to improve the health and education of our children and provide financial security to schools.

#### CAGING PROHIBITION ACT OF 2009

**HON. JOHN CONYERS, JR.**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 6, 2009*

Mr. CONYERS. Madam Speaker, today I rise to introduce the Caging Prohibition Act of 2009, a much needed reform to our election system. As the 111th Congress focuses on election fixes and greater voter protections, this legislation is a critical contribution to such efforts. Prohibitions on voter caging will ensure that our democracy lives up to the belief that every eligible citizen is entitled to the right to vote.

Voter caging, though just recently given media attention, is a disenfranchisement tactic that has been around for over 50 years. This undemocratic tactic often involves sending mail to voters at the addresses at which they are registered to vote. Should such mail be returned as undeliverable or without a return receipt, voters' names are placed on a "caging list," that list then being used to challenge voters' eligibility.

Those suggesting that voter caging is necessary to weed out ineligible voters must recognize this practice is unreliable and dangerous for such purposes. Mail may be returned as undeliverable for any number of reasons unrelated to an individual's eligibility to vote. For example, mail is returned due to typos, transposed numbers, new street names, and improper deliveries.

Voters in my home State of Michigan have been subjected to voter caging controversies

in the last two Presidential elections. In the 2008 election, a voter caging strategy meant to politically capitalize on the subprime mortgage crisis was identified. Those voters whose homes had been subjected to foreclosure were targets for caging on the basis that they no longer resided at the addresses at which they registered to vote.

During the 2004 election, challengers monitored every single one of Detroit's 254 polling stations. This strategy was consistent with a Michigan lawmaker's effort to "suppress the Detroit vote." It was widely accepted that this statement was synonymous with "suppress the Black vote," as Detroit is 83 percent African American.

Our most vulnerable voters racial minorities, language minorities, low-income people, the homeless, and college students—always seem to be targeted for caging and other voter suppression campaigns. However, all voters are susceptible to voter intimidation and suppression. For example, during the 2004 election, Ohio and Florida caging lists included the names of soldiers whose mail had been returned as undeliverable because they were stationed overseas.

It is because no one is immune to caging and other disenfranchisement tactics, that I have introduced the Caging Prohibition Act. This bill is really quite simple, as it one, requires election officials to corroborate their caging documents with independent evidence before a voter can be deemed ineligible. And two, limits all other challenges that do not come from election officials to those based on personal, first-hand knowledge.

By eliminating caging tactics, we restore what has been missing from our elections—fairness, honesty, and integrity. I ask that my colleagues in the Congress join me in supporting the Caging Prohibition Act of 2009. Please stand with me in protecting the very core of our democracy.

#### INTRODUCTION OF THE DISTRICT OF COLUMBIA HOUSE VOTING RIGHTS ACT OF 2009

**HON. ELEANOR HOLMES NORTON**

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 6, 2009*

Ms. NORTON. Madam Speaker, today I am introducing, I believe for the last time, the District of Columbia House Voting Rights Act, simultaneously with our Senate partners, Senators JOE LIEBERMAN and ORRIN HATCH. The bill we introduce today also will add two permanent House seats, the first increase in 96 years. It therefore carries a triple bonus: the first vote for the District of Columbia after 212 years, an additional seat for Utah, and two new permanent seats for the House of Representatives itself. The citizens of the District of Columbia are deeply grateful for the persistent partnership and bipartisan dedication that Senator LIEBERMAN and Senator HATCH continue to bring to this bill, and for the continued support of Utah Governor Jon Huntsman.

Because of the importance to the city of achieving the vote after more than two centuries, the D.C. House Voting Rights Act is my first bill of the 111th Congress. This year we introduce the bill as members of the armed services from the District of Columbia are

again engaged in war abroad. In gratitude for the service of our residents serving today, and of those who have served since our country was founded, I dedicate the bill this year to the first soldier from the District to die for his country in the Iraq War, 21-year-old D.C. National Guard Specialist Daryl Dent, and to the District's first unknown soldier to die after picking up arms to fight for liberation on the promise of no taxation without representation. Although two centuries apart, the first to die in these wars had in common fighting for the vote. Our first residents here fought in the War for Independence. Specialist Dent gave his life ensuring the vote for Iraqi citizens, a right he did not live to get for himself.

Today's bill is the first in the Free and Equal series of bills that I will introduce this session to complete the full roster of citizenship rights for residents of the Nation's capital that the first soldiers were promised and for which today's soldiers continue to give their lives and their service for our country. There can be no doubt that the revolutionaries who invented America's most quoted national slogan did not create a new Nation in order to get the vote, only to turn around and deny the vote to the citizens of their capital.

This bill was passed by the House in the 110th Congress, thanks to Speaker NANCY PELOSI, who has long fought for the rights of D.C. residents and personally insisted that this legislation go forward as a bill of historic importance; Majority Leader STENY HOYER, my long-time regional friend, who has been an especially outspoken champion of this bill; Judiciary Chairman JOHN CONYERS, who gave the bill his priority attention, emblematic of the strong support he has always brought to our rights throughout his long service in Congress; and Chairman HENRY WAXMAN, who as ranking member and then as chair of the Oversight and Government Reform Committee, also was a central figure in ensuring passage; and many others among my colleagues in both Chambers and both parties, who have made special efforts for passage of the D.C. House Voting Rights Act. My special thanks to Tom Davis, my good friend and a strong partner on this bill, who retired at the end of last session. It was Tom's idea to pair the District with Utah after Utah narrowly missed getting a seat following the last census. I will always be grateful to Tom for the unfailing bipartisan spirit that characterized all his work as chair of the Oversight and Government Reform Committee, especially his consistent respect for home rule and for affording me every opportunity to fashion this bill when he was a member of the Republican majority and I was a minority member. I must also thank the two important coalitions of organizations that have led this fight. The Leadership Conference on Civil Rights, whose leader, Wade Henderson, also has been a close advisor throughout the many years of this struggle, and D.C. Vote and its leader, Ilir Zherka, who gave our bill a big quantum leap in strength it never had before through a superior indispensable grassroots organization that was born to lead the successful lobbying strategy here and nationwide and that singlehandedly raised the funds necessary to make D.C.'s struggle a national campaign.

There is every reason to believe that the D.C. bill will finally prevail this year. The bill easily passed in the House in 2007, and now



has an estimated 64 votes in the Senate, considerably more than the 60 needed. The addition of seven Democratic senators, who replaced seven Republican opponents of the bill, together with the eight remaining Republicans who supported the bill, should assure that our bill will have significantly more than the 57 Senate votes it received in 2007. We are equally encouraged that President-elect Barack Obama, who was a co-sponsor of the bill in the Senate, will sign the D.C. House Voting Rights Act when it reaches his desk.

My service in Congress has been defined by the search for ways to get full representation for the city where my family has lived since before the Civil War. That search has been guided by the pursuit of the maximum that was possible, including the two-day debate followed by the first and only vote on statehood more than 10 years ago, the vote I won in the Committee of the Whole during my second term, and the "No Taxation Without Representation" Act for votes in both the House and Senate. Our struggle has always been driven by what was required but we also have insisted on all that was possible, as with the District's first floor vote, the Committee of the Whole vote on some but not all matters on the House floor and the Home Rule Act, the path-breaking bill enacted before I came to Congress that gave the city partial self-government.

The Congress, which has always been divided by regional and parochial concerns, virtually never does all that is required at one time, even granting a vote to American citizens who are second per capita in Federal income taxes paid to support their Government and served in every war, including the war that created our country. However, the people of the District of Columbia have never ceased demanding the full measure of their rights, while insisting on all that is possible for each generation. The people of the Nation's proud capital will never give up until achieving their full rights as American citizens. Today's bill is another big step to achieve full and equal citizenship.

#### INTRODUCTION OF DECEPTIVE PRACTICES AND VOTER INTIMIDATION PREVENTION ACT OF 2009

**HON. JOHN CONYERS, JR.**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 6, 2009*

Mr. CONYERS. Madam Speaker, today I rise to introduce the Deceptive Practices and Voter Intimidation Prevention Act of 2009. During our elections, including the 2008 election, we have witnessed numerous attempts, some of them successful, to disenfranchise our eligible voters. Deceptive practices and voter intimidation, age-old voter disenfranchisement tactics, continue to keep voters away from the polls today.

The Deceptive Practices and Voter Intimidation Prevention Act is a critical effort in ensuring fairness and integrity in our elections. It is a direct response to the fraudulent tactics used to undermine our elections. Every eligible voter should be able to vote free of intimidation, harassment, and harm.

Numerous accounts indicate that deceptive practices have been employed throughout the

country in our elections. Voters have been told to vote on the wrong day. They have been told they could not vote with outstanding parking tickets. Ultimately, they were misled, deceived, and disenfranchised.

During the 2008 election, a phony flyer circulated in Virginia telling Democratic voters that they were to vote on Wednesday instead of Tuesday. During the 2006 midterm, Latino voters in Orange County, California, were threatened with incarceration if they voted and African American voters in Prince George's County, Maryland were given fliers with false endorsements. As evidenced in California and Maryland, our most vulnerable voters—immigrants and minorities—are often those voters that are targeted for deceptive practices.

No matter who is targeted for these tactics, however, such actions are despicable and those responsible for them must be held accountable. This country's long history of voter suppression must end now. We must protect the right to vote for all of our citizens and that is what this legislation will enable us to do.

Under this legislation, those that engage in deceptive practices and voter intimidation will be held accountable. Deceptive electioneering practices are clearly defined and prohibited so there is no confusion as to the rights and protections afforded voters.

Additionally, the Federal Government will be held responsible for protecting and advancing the right to vote. The Attorney General and the Department of Justice are required to combat and counteract deceptive practices. These measures will ensure that voters are not left to fend for themselves when their right to vote is threatened.

If we allow deceptive practices and other such behavior to continue, we jeopardize the very core of our democracy, the right to vote. I ask that my colleagues in the Congress stand with me in support of this legislation, so that we may begin eliminating barriers to the polls.

#### INTRODUCTION OF THE VOTING OPPORTUNITY AND TECHNOLOGY ENHANCEMENT RIGHTS (VOTER) ACT OF 2009

**HON. JOHN CONYERS, JR.**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 6, 2009*

Mr. CONYERS. Madam Speaker, today I rise to introduce the Voting Opportunity and Technology Enhancement Rights or VOTER Act of 2009. I introduce this legislation, more than 200 years after the founding of our democracy, because we have yet to realize a government that is truly representative of the principle, "of the people, by the people." Not until every eligible voter has the opportunity to cast a ballot and have that ballot counted, will we have a proper democracy.

Though the 2008 Election did not present the widespread irregularities and improprieties that were witnessed during the 2000 and 2004 Elections, it was still an election in which voter disenfranchisement was attempted and accomplished. Voters' names are still missing from voter rolls. Voter harassment and intimidation continues.

In fact, over the years, the methods that are used to disenfranchise voters have just be-

come more contemporary and sophisticated as evidenced during the 2008 Election. For example, in my home State of Michigan, in the midst of the current subprime mortgage crisis, a strategy to challenge a voter's eligibility based on home foreclosure status was devised. In Virginia, a flyer telling Democrats to vote on Wednesday November 5, 2008, circulated.

Anything short of a perfect election system is unacceptable. I have introduced VOTER so that we may work towards a more perfect system, one that reflects legitimacy, integrity, and inclusivity. VOTER will protect and expand voting rights in Federal elections, as well as ensure the proper administration of Federal elections.

VOTER will:

- (1) provide for a uniform Federal write-in absentee ballot;
- (2) require States to provide for a verified audit trail;
- (3) count provisional ballots cast in the proper State;
- (4) properly allocate voting machines and poll workers;
- (5) provide for election day voter registration;
- (6) protect against improper purging of registration lists;
- (7) mandate early voting;
- (8) require verification and audit ability for punch cards;
- (9) simplify voter registration requirements;
- (10) allow voter identification by written affidavit;
- (11) provide for a study of nonpartisan election boards;
- (12) strengthen the EAC with funding and resources;
- (13) require the EAC to (a) enhance training for election officials; (b) require the use of publicly available open source software; (c) provide uniform standards for vote recounts; and (d) prohibit voting machine companies from engaging in political activities;
- (14) prohibit deceptive practices and intimidation;
- (15) prohibit caging and other questionable challenges;
- (16) restore voting rights to former felons; and
- (17) treat Election Day as a federal holiday.

Some of these initiatives have already been implemented by States, the success of which was observed during the 2008 Election. There are 32 States that currently provide early voting, including Florida, a State that witnessed over one million voters turn out to the polls the weekend before the election. There are also 28 States that currently provide no-excuse absentee voting.

Such practices were critical to managing an unprecedented voter turnout. More than 130 million people turned out to vote in the 2008 Election, the highest turnout in any presidential election. With this many longtime and new voters engaged in the 2008 election process, I suspect that voter participation will only increase in 2012.

As such, we must pledge to fight for election reform in this Congress. The right to vote and to have that vote counted is one of our democracy's most fundamental principles. It is with VOTER that I intend to protect this fundamental principle, and I ask that my colleagues in this Congress join me in this fight for fair and just elections.

# HONORING THE LIFE AND SERVICE OF ANDY ANDERSON

## HON. RICK LARSEN

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 7, 2009*

Mr. LARSEN of Washington. Madam Speaker, Andy Anderson's passing is a tragic loss for Washington state, Whatcom County and for me personally. My thoughts and prayers are with Andy's loved ones during this difficult time.

Andy's commitment to public service is legendary and his contributions to Washington state have been many and varied.

While serving as District Manager for Congressman Al Swift, Andy was instrumental in creating the PACE (now NEXUS) lane for frequent travelers between the United States and Canada. Andy's efforts to expand trade and reduce wait times helped thousands of families and businesses on both sides of the border.

After I was elected to Congress in 2000, I asked Andy to come out of retirement to join my team. For 3 years, he served as director of my Bellingham office, representing me in Whatcom County.

I am honored to have worked with Andy Anderson. He was a true friend and a tireless advocate for my constituents. He was always available to answer a question, investigate and solve a problem and look for new ways to make life a little easier for the people he served.

Andy will be missed, but his contributions to our community, our State and our country will be felt for many decades to come.

# HONORING THE 2008 MYRTLE BEACH HIGH SCHOOL FOOTBALL TEAM

## HON. HENRY E. BROWN, JR.

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 7, 2009*

Mr. BROWN of South Carolina. Madam Speaker, please permit me to take this opportunity to extend my personal congratulations to the 2008 Myrtle Beach High School Football Team. By beating the Chester Cyclones in "Death Valley" at Clemson University, the "Seahawks" led by Coach Scott Earley returned the Class AAA State Football Championship Trophy to Myrtle Beach after a hiatus of 24 years. This outstanding victory exemplifies the drive, ambition and teamwork of these young men.

# CONGRATULATING MR. CLARENCE E. FAULK, JR., ON THE OCCA- SION OF HIS 100TH BIRTHDAY

## HON. RODNEY ALEXANDER

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 7, 2009*

Mr. ALEXANDER. Madam Speaker, it is with great pride and pleasure that I rise to honor Mr. Clarence E. Faulk, Jr., on the occasion of his 100th birthday.

Mr. Faulk was born on January 9, 1909 in West Monroe, LA to Clarence E. Faulk, Sr. and Josephine McClendon Faulk.

He married Louise Benson Page on July 8, 1931 and from this union three children were born. In addition, Mr. Faulk is the proud and loving grandfather of 10 grandchildren and seven great-grandchildren.

Mr. Faulk was the publisher of the Ruston Daily Leader from 1931 to 1962, the owner of radio station KRUS from 1947 to 1968, and the owner of Westside Self Storage from 1980 to present.

Moreover, Mr. Faulk and his late beloved wife owned 10 rental houses, one 16-unit apartment house, and eight commercial buildings in Ruston, LA.

Mr. Faulk is a friend to many, and is deemed a gracious and hardworking person to all who have had the privilege of making his acquaintance.

I ask my colleagues to join me in congratulating Mr. Clarence Faulk on this truly significant birthday.

## RULES OF THE HOUSE

SPEECH OF

## HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 6, 2009*

Ms. JACKSON LEE of Texas. Madam Speaker, let me congratulate you for your reelection as Speaker of the House. It is an honor that you have served with great distinction and verve. I look forward to more of your continued leadership in the 111th Congress.

Mr. Speaker, I rise today in support of H. Res. 5, Adopting the rules for the One Hundred Eleventh Congress. The House Rules Package provides commonsense reforms that will enable Congress to work more efficiently for America.

In the 110th Congress, Democrats put forth critical measures to restore integrity and accountability to the House. These reforms were the most sweeping ethics and lobbying reforms since Watergate and has changed the way Congress does business in Washington. The reforms adopted by the 110th Congress included banning gifts from lobbyists, prohibiting the use of corporate jets, mandating ethics training for all House employees, establishing a new, independent Office of Congressional Ethics, and ensuring transparency for budget earmarks by requiring the full disclosure of earmarks in all bills and conference reports.

The Rule Package for the 111th Congress builds upon these reforms to further strengthen the integrity of Congress. Key provisions include closing the loophole regarding "lame-duck" Members negotiating post-Congressional employment, codifying additional earmark reforms adopted in mid-term in the 110th Congress, continuing the Office of Congressional Ethics, maintaining strong PAYGO rules, and improving Congress's effectiveness by removing an abusive practice where popular measures are killed through unrelated, "gotcha" amendments on motions to recommit.

On this last point, noted Congressional scholar Norm Ornstein pointed out in the Roll Call, August 13, 2007, "Using 'promptly' . . .

is a subterfuge, a way to kill bills, and reflects a desire not to legislate but embarrass vulnerable majority Members through a "gotcha" process. The Rules Package protects the minority and still preserves its ability to recommit. Specifically, the minority can offer a motion to recommit "forthwith," where the GOP amendment is immediately voted upon and, if adopted, is added to the bill. Additionally, the minority can offer a straight motion to recommit the bill to committee (in which case the vote occurs on the merits of the bill itself).

Mr. Speaker, the Rules Package removes term limits for Committee Chairmen from House Rules. Instead, each party should determine its own rules on the tenure of Committee Chairs and/or Ranking Members—and they should be reflected in Democratic Caucus Rules and Republican Conference Rules. In practice, term limits have resulted in the creation of a "pay-to-play" system, where the chief criterion for being selected as a new Chair has in many instances been a Member's fundraising prowess. This had the effect of focusing upon fundraising and undermining the integrity of Congress and the legislative process.

Lastly, I am pleased that the Select Committee on Energy Independence and Global Warming, the Tom Lantos Human Rights Commission, and the House Democracy Assistance Commission will be continued. These entities have done tremendous work.

I urge my colleagues to support the Rules Package. I believe this package restores integrity and accountability.

# RECOGNIZING RICHARD RIEDEL OF SPRING HILL, FLORIDA

## HON. GINNY BROWN-WAITE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 7, 2009*

Ms. GINNY BROWN-WAITE of Florida. Madam Speaker, I rise today to honor Richard Riedel of Hernando County, Florida. Richard will do something later this year that all of us strive to do, but that very few of us will ever accomplish, celebrate his 100th birthday.

Richard was born February 1, 1909 in Sturbridge, Massachusetts. Richard's favorite childhood memories include receiving his first bicycle and robbing his sisters' piggy banks to buy penny candy.

During his youth, Richard attended Sturbridge Public and Vocational School, and then went on to serve as a sergeant in the United States Air Force. Eventually moving to Florida, Richard started working at Linen Company in St. Petersburg, Florida, eventually working his way up from a driver to the vice president of the company, an accomplishment of which he is very proud.

Throughout his life, Richard married twice, but had no children. His first wife Lucille passed away in 1981 and his second wife Ann passed away in 2006. He has fond memories of sailing into New York harbor and seeing the Statue of Liberty and the tug's radio playing "Sentimental Journey."

Richard came to Hernando County in 1984 looking for a retirement community where he could keep his dog. Today he enjoys living in the Timber Pines community where he is far away from the congestion of Pinellas County.

Richard is quite the everyday comedian, telling friends and neighbors that breathing gives him the most pleasure. If he had his life to do over again, Richard said he would get more education, and his advice to young people today is to always do things in moderation and be conservative.

Madam Speaker, I ask that you join me in honoring Richard Riedel for reaching his 100th birthday. I hope we all have the good fortune to live as long as him.

**“THE PATERSON GREAT FALLS  
NATIONAL HISTORICAL PARK  
ACT”**

**HON. BILL PASCRELL, JR.**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 7, 2009

Mr. PASCRELL. Madam Speaker, it is my pleasure today to introduce the “Paterson Great Falls National Historical Park Act” as my first act in the 111th Congress. This bipartisan legislation was approved by the House in October 2007, and would designate a National Park at the majestic Great Falls in Paterson, NJ. I urge my colleagues to pass this legislation as soon as possible.

Fifteen miles west of New York City, the Great Falls was the second largest waterfall in colonial America. No other natural wonder in America has played such an important role in our nation's historic quest for freedom and prosperity. At the Great Falls, Alexander Hamilton conceived and implemented a plan to harness the force of water to power the new industries that would secure our economic independence.

Hamilton told Congress and the American people that at the Great Falls he would begin implementation of his ambitious strategy to transform a rural agrarian society dependent upon slavery into a modern economy based on freedom. True to Hamilton's vision, Paterson became a great manufacturing city, producing the Colt revolver, the first submarine, the aircraft engine for the first trans-Atlantic flight, more locomotives than any city in the Nation, and more silk than any city in the world.

New Jersey's Great Falls is the only National Historic District that includes both a National Natural Resource and a National Historic Landmark. In a special Bicentennial speech in Paterson with the spectacular natural beauty of the Great Falls in the background, the late President Gerald R. Ford said, “We can see the Great Falls as a symbol of the industrial might which helps to make America the most powerful Nation in the world.”

Preeminent Hamilton biographers, an esteemed former Smithsonian Institution curator, the former chief of the National Park Service Historic American Engineering Record, and distinguished professors at Yale, Princeton, Harvard, NYU, Brown and other universities have filed letters with the National Park Service strongly recommending a National Historic Park for the Great Falls Historic District. Editorial boards, Federal, State, and local officials and community groups have also endorsed the campaign to award a National Park Service designation to the Falls.

Scholars have concluded that Pierre L'Enfant's innovative water power system in

Paterson, and many factories built later, constitute the finest remaining collection of engineering and architectural structures representing each stage of America's progress from a weak agrarian society to a leader in the global economy. It is a little known fact that L'Enfant was hired by Hamilton to create Paterson as the sister city to Washington, DC, having completed his plan of Washington only months before arriving in Paterson.

Madam Speaker, Congress must act now to pass this vital piece of legislation, so that we may fully recognize these cultural and historic landmarks that have played such a seminal role in America's history.

**PERSONAL EXPLANATION**

**HON. LUIS V. GUTIERREZ**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 7, 2009

Mr. GUTIERREZ. Madam Speaker, I was unavoidably absent from this Chamber today. I would like the record to show that, had I been present, I would have voted “yea” on rollcall votes 1 and 4; “nay” on rollcall vote 3; and for Rep. NANCY PELOSI (CA-08) on rollcall vote 2 for the election of the Speaker of the U.S. House of Representatives.

**ISRAEL'S MILITARY ACTION IN  
GAZA**

**HON. JERRY F. COSTELLO**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 7, 2009

Mr. COSTELLO. Madam Speaker, for the past several years, Israelis living near Gaza have endured a continual state of fear due to the thousands of rocket attacks launched from there by Hamas. When the six-month cease fire between Hamas and Israel recently ended, Hamas responded almost immediately by firing more than 70 missiles at civilian targets within Israel. On December 27th, Israel, in an act of self defense, struck at Hamas targets in Gaza in response to these continued attacks, and I want to express my strong support for Israel's right of self-defense.

Israel has taken meaningful steps in recent years to push the peace process forward, including unilaterally withdrawing from Gaza in 2005. Unfortunately, Hamas has not met Israel's efforts towards a peaceful coexistence, and has instead increased military operations against its neighbor and continues to deny Israel's right to exist.

These unfortunate developments are tragic, but have been precipitated by Hamas' aggression. Hamas must stop the rocket attacks and all parties in the region need to commit to renewing efforts at peace. The U.S. should remain involved in the peace process and I will continue to work with my colleagues in Congress towards this goal.

**THE INTRODUCTION OF THE DIS-  
TRICT OF COLUMBIA HOUSE  
VOTING RIGHTS ACT OF 2009**

**HON. ELEANOR HOLMES NORTON**

OF THE DISTRICT OF COLUMBIA  
IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 7, 2009

Ms. NORTON. Madam Speaker, today I am introducing, I believe for the last time, the District of Columbia House Voting Rights Act, simultaneously with our Senate partners, Senators JOE LIEBERMAN and ORIN HATCH. The bill we introduce today also will add two permanent House seats, the first increase in 96 years. It therefore carries a triple bonus: the first vote for the District of Columbia after 212 years, an additional seat for Utah, and two new permanent seats for the House of Representatives itself. The citizens of the District of Columbia are deeply grateful for the persistent partnership and a bipartisan dedication that Senator LIEBERMAN and Senator HATCH continue to bring to this bill, and for the continued support of Utah Governor Jon Huntsman.

Because of the importance to the city of achieving the vote after more than two centuries, the D.C. Voting Rights Act is my first bill of the 111th Congress. This year we introduce the bill as members of the armed services from the District of Columbia are again engaged in war abroad. In gratitude for the service of our residents serving today, and of those who have served since our country was founded, I dedicate the bill this year to the first soldier from the District to die for his country in the Iraq War, 21-year-old D.C. National Guard Specialist, Daryl Dent, and to the District's first unknown soldier to die after he picked up arms to fight for liberation on the promise of taxation without representation. Although two centuries apart, the first to die in these wars had in common fighting for the vote. Our first residents here fought in the War for Independence. Specialist Dent gave his life ensuring the vote for Iraqi citizens, a right he did not live to get for himself.

Today's bill is the first in the Free and Equal series of bills that I will introduce this session to complete the full roster of citizenship rights the residents of the Nation's capital, that the first soldiers were promised and for which today's soldiers continue to give their lives. There can be no doubt that the revolutionaries who invented America's most quoted national slogan did not create a new nation in order to get the vote, only to turn around and deny the vote to the citizens of their capital.

This bill was passed by the House in the 110th Congress, thanks to Speaker NANCY PELOSI who has long fought for the rights of D.C. residents and personally insisted that this legislation go forward as a bill of historic importance, Majority Leader STENY HOYER, my long-time regional friend, who has been an especially outspoken champion of this bill; Judiciary Chairman JOHN CONYERS, who gave the bill his priority attention, emblematic of the strong support he always has brought to our rights throughout his long service in Congress; and Chairman HENRY WAXMAN, who as ranking member and then as chair of the Oversight and Government Reform committee, also was a central figure in ensuring passage; and many others among my colleagues in both chambers and both parties, who have made special efforts for passage of the D.C. House

Voting Rights Act. My special thanks to Tom Davis, my good friend and strong partner on this bill, who retired at the end of last session. It was Tom's idea to pair the District with Utah after Utah narrowly missed getting a seat following the last census. I will always be grateful to Tom for the unfailing bipartisan spirit that characterized all his work as chair of the Oversight and Government Reform committee, especially his consistent respect for home rule and for affording me every opportunity to fashion this bill when he was in the Republican majority and I was a minority member. I must also thank the two important coalitions of organizations that have led this fight, the Leadership Conference on Civil Rights, whose leader, Wade Henderson also has been a close advisor throughout the many years of this struggle, and D.C. Vote, and its leader Ilir Zherka, who gave our bill indispensable strength through a superior grassroots organization that led the successful lobbying strategy here and nationwide and singlehandedly raised the funds necessary to take D.C.'s struggle national.

There is every reason to believe that the D.C. bill will finally prevail this year. The bill easily passed in the House in 2007, and now has an estimated 64 votes in the Senate, considerably more than the 60 needed. The addition of seven Democratic senators, who replaced seven Republican opponents of the bill, together with the eight remaining Republicans who supported the bill, should assure that the bill will have significantly more than the 57 Senate votes it received in 2007. We are equally encouraged that President-elect Barack Obama, who was a co-sponsor of the bill in the Senate, will sign the D.C. House Voting Rights Act when it reaches his desk.

My service in Congress has been defined by the search for a way to get full representation for the city where my family has lived since before the Civil War. That search has been guided by the pursuit of the maximum possible, including the two-day debate followed by a vote on statehood more than 10 years ago, the vote I won in the Committee of the Whole during my second term, and the "No Taxation Without Representation" Act for votes both in the House and Senate. The struggle has been driven always by what was required but also by what was possible, as with the Committee of the Whole vote on some but not all matters on the House floor and the Home Rule Act, the path-breaking enacted before I came to Congress that gave the city partial self-government.

The Congress which has always been divided by regional and parochial concerns, never does what is clearly right, even granting a vote to American citizens who are second per capita in federal income taxes paid to support their government and have served in every war, including the war that created our country driven by the slogan of "No Taxation without Representation." However, the people of the District of Columbia have never ceased demanding the full measure of their rights, while insisting on all that is possible for each generation. The people of the nation's proud capital will never give up on our full rights as American citizens.

TRIBUTE TO ROBERT "RED"  
McKEON

**HON. JOE COURTNEY**

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 7, 2009*

Mr. COURTNEY. Madam Speaker, I rise today to congratulate Robert "Red" McKeon on being inducted into the Connecticut Firefighters Hall of Fame. There is perhaps no one more worthy of such an honor than Red.

Red has been a leader in his community for over 60 years. In 1944, Red joined the Occum, Connecticut Volunteer Fire Department. Red served in various roles within the department before becoming fire chief in 1960, a position he held for 34 years. Red was not only an active and committed fireman, but he was also a pioneer. During Red's tenure, he ensured that Occum's department led the way in improving the life saving services which they provide to the people of eastern Connecticut. Occum was the first department in the state of Connecticut to employ two-way radio communication in fire trucks and other emergency service vehicles. Occum was also the first department that employed a computer to develop the skills of its first responders.

In 1970, Red founded the Occum volunteer ambulance service to provide the residents of Occum access to state-of-the-art emergency services. Red has also been a pioneer in taking care of his fellow first responders. Red led the charge for establishing a pension system for volunteer firefighters. Despite putting their lives in on the line every day, volunteer firefighters do not receive a pension in recognition of their service. Red worked with State and local leaders in Connecticut to establish a program that allows local communities like Occum to establish retirement programs for volunteer firefighters.

Red has demonstrated his commitment to our first responders at the State, national and even international levels. After serving in the Connecticut State Firemen's Association since 1944, he was elected State President by his fellow firemen in 1977 and 1978.

In 1991, Red became the national chairman of the National Volunteer Fire Council, the largest volunteer firefighter organization in the country, and served in the post until 1994. His leadership within that organization and at home in Connecticut received further recognition when the Council chose him as the National Firefighter of the Year in October 1999. Along with this award, Red was presented with a certificate for \$2000 from Scott Health and Safety. In keeping with his unselfish nature, Red announced that he would donate the proceeds to the North Carolina Relief Fund to help fire departments that were devastated by Hurricane Floyd.

Red has also been generous enough to share his talents and expertise with the world. Red served as a representative for the United States at the World Federation of Firefighters meetings in Argentina, Denmark, Indonesia and Japan and is an active member of the International Society of Fire Service Instructors.

After a lifetime of service to his community and his fellow first responders it should come as no surprise that Red would be chosen as an inductee to the Connecticut Firefighters' Hall of Fame. This latest recognition is one

that is well deserved, and I applaud my friend Red for receiving this prestigious award. We in eastern Connecticut are lucky to have such a fine public servant.

IN HONOR OF CATHERINE "LENA"  
ZABARA DICHELE

**HON. CHRISTOPHER S. MURPHY**

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 7, 2009*

Mr. MURPHY of Connecticut. Madam Speaker, I rise today to honor the 100th birthday of Lena Dichele, a living example of the hard work and spirit that we cherish as Americans. Born on January 1, 1909, Lena immigrated to the United States at age 7. Her story began at Ellis Island, where so many other American stories began. Although Lena stopped her formal education in the 8th grade to help her family in trying economic times, she went on to become a life-long educator.

At the age of 14, Lena learned to sew at the Waterbury Connecticut Girls' Club, where she transformed this skill into her life's passion. Lena went on to become a sewing instructor at the Girls Club and an informal authority on all things sewing at Tops Department Store in Waterbury. She was also familiar enough with electric sewing machines to assist customers and perform repairs. Lena began sharing her love of sewing with seniors throughout Waterbury by teaching at the Pearl Street Neighborhood Center, the Palladino Center and the Mattatuck Senior Center, where she ended her 83 year career in 2006 at the age of 97.

On New Year's Day, Lena's family gathered to celebrate her 100th birthday. But more appropriately, they celebrated the impact that she has had on her family, her friends, and her community, during those 100 years. Lena's story is a truly American story, and I am honored to represent her in Congress, and be able to congratulate her today, here on the floor of the United States House of Representatives, on this milestone.

HONORING HOSTELLING INTERNATIONAL-USA ON THEIR 75TH ANNIVERSARY

**HON. DAVID WU**

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 7, 2009*

Mr. WU. Madam Speaker, I rise today to congratulate Hostelling International-USA on their 75th anniversary. Since 1934, Hostelling International-USA has encouraged cultural interaction among its guests by providing affordable overnight accommodations for domestic and international travelers.

In my home state of Oregon, Hostelling International-USA operates three facilities, which together welcome more than 35,000 visitors each year.

J.R.R. Tolkien once wrote: "Not all those who wander are lost." Travel reminds us of the unity in our diverse world, and I believe that the more we interact with others, the more we can understand of ourselves.

I ask my colleagues to join me in recognizing Hostelling International-USA on this important occasion.

HONORING THE WORK OF CAROL  
J. FRIEDMAN

### HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 7, 2009

Ms. WOOLSEY. Madam Speaker, I rise today to celebrate Carol J. Friedman of Point Reyes Station, California. Carol is retiring as Executive Director of the Dance Palace Community Center after 37 years at the helm. From the founding of the organization in 1971 to the present, she has been the force that has made the Dance Palace an integral part of the West Marin community.

Born and raised in Rye, New York, Carol was a dancer from her youngest days, whether it was the Nutcracker Suite in her living room or formal study with a number of modern dance teachers. She matriculated at Radcliff College but took time off in 1971 after two years as dance was not part of the Harvard curriculum. She came to the Bay Area and connected with fellow dancers who had rented a perfect dance space with apartments above in a building in Point Reyes that had previously housed the Palace Market. As described by Carol, "So we moved into the Dance Palace—7 of us—dancers, musicians, hippies, idealists, and all completely naive about the community and about going about business."

From those early beginnings, the Dance Palace evolved into a multi-use facility with input and ideas from all segments of the community and Carol as the guide. She made the ideas into reality, whether it took building a whole new building, constantly securing funding, running day-to-day operations, programming events, reaching out to new people, or plunging toilets. When she saw a need in the community, she worked to fill it. And she did it all with her own personal warmth, style, and creativity.

Today the Dance Palace Community Center has an annual budget of \$475,000, presents 100 special events a year, offers 30 classes weekly, has 200 regular volunteers, and serves 27,000 people of all ages annually—providing a wide variety of services including a summer day camp, senior meals program, teen theater activities, after-school classes for kids, English as a Second Language instruction, and weekend performances and concerts. Carol personally participated in many of these activities, claiming, for example, "I am personally responsible for introducing the ever-popular Bubble Wrap Day plus the Russian hand jive dance to generations of Dance Palace Campers."

Carol expanded the Dance Palace's role by actively promoting collaboration among other local and County-wide organizations. She herself became an expert on non-profit and community work and gave unstintingly of her time and knowledge wherever it was needed.

Along the way, Carol had two sons, Abraham and Eli, whom she raised as a single mother. The Dance Palace was their second home, and they were early performers in community productions. Carol continues to dance and teach dancing as well as sing, and has volunteered in many capacities including as an elephant seal docent and hospice bereavement supporter. She also stars in a weekly

soccer pickup game where she has evolved into a formidable talent. Clearly, she will not be sitting still after retiring from her Dance Palace duties.

Madam Speaker, Carol Friedman will be missed at the helm of the Dance Palace Community Center but will continue to be involved in her community, as long as it doesn't interfere with her soccer schedule. As the heart and soul of the Center for so many years, Carol's spirit will shine at the Dance Palace Community Center for generations to come.

### 117TH ANNIVERSARY OF ELLIS ISLAND

### HON. ALBIO SIRE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 7, 2009

Mr. SIRE. Madam Speaker, today I rise to recognize the 117th anniversary of the opening of Ellis Island. Originally opened on January 1, 1892, the island remains a part of American history and our culture. Together with the Statue of Liberty, these places represent what it means to be an American.

During the attacks of September 11, 2001 these symbols stood as a reminder and a warning that we will prevail against those who wish us harm. So great are these symbols that visitors from here and abroad visit them every day. Yet the Statue of Liberty crown is still closed to visitors. I am happy that both President-Elect Obama and Interior Secretary Designate Salazar support fully opening up the crown.

I am optimistic that we will again allow Americans and foreign visitors to peer out from the crown and to think about what it means to be an American.

### IN RECOGNITION OF STANLEY REED

### HON. MIKE ROSS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 7, 2009

Mr. ROSS. Madam Speaker, I rise today to recognize Stanley Reed of Marianna, Arkansas, and his outstanding service to the state of Arkansas as outgoing president of the Arkansas Farm Bureau and outgoing chairman of the University of Arkansas Board of Trustees.

I have had the distinct honor and privilege of knowing Stanley for many years and his dedication to the citizens of Arkansas is second to none. A third-generation cotton farmer from Marianna, he holds a bachelor's degree in agricultural engineering and a law degree from the University of Arkansas, though his affection for the land eventually led him back to the farm.

Stanley is one of the greatest allies to and advocates for Arkansas farmers and farm families. He has served as president of Arkansas Farm Bureau for 5 years, and has been a member of the organization's state board for more than 20 years, including stints as vice president and secretary-treasurer. He also serves as a member of the Arkansas Farm Bureau Federation's board of directors. Due to his determination to improve Arkansas agri-

culture, Stanley has participated in numerous foreign trade missions including trips to Mexico, Turkey, Taiwan, Korea, Japan and Cuba.

Of course, Stanley's commitment to Arkansas does not end with farming. Stanley just completed a 10-year term on the University of Arkansas Board of Trustees, where he served as chairman for 2 years. His service on this distinguished panel earned him the respect and admiration of all who came into contact with him throughout his tenure. Stanley will forever be remembered for his selfless service to improve secondary education opportunities for countless Arkansans. In addition to these roles, Stanley also serves on the board of directors for Baptist Health and as a board member of Pine Bluff-based Simmons First National Bank.

Amidst all of these professional successes, anyone who knows Stanley understands that his most treasured role in life is that of a husband to Charlene, father to Haley Davis, Nathan and Anna, and grandfather to three grandchildren. Carrying on in true Reed family tradition, Stanley's son Nathan continues to work with him on the family farm.

Stanley Reed will long be considered one of Arkansas's finest, and a best friend and advocate for agriculture. It is with great pride that I rise today to recognize Stanley Reed for a lifetime of accomplishments, and for his much-admired service to one of his greatest passions—farming.

### TRIBUTE ON THE RETIREMENT OF MASTER SERGEANT ROBERT C. WILKINS FROM THE UNITED STATES AIR FORCE

### HON. JOHN S. TANNER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 7, 2009

Mr. TANNER. Madam Speaker, on the occasion of his retirement from the United States Air Force, I want to personally take this opportunity to honor my dear friend, MSgt Robert C. Wilkins for his 26 years of dedicated service to our country. In his most recent assignment, he served as the Superintendent, Operations, Air Operations Division, Office of the Legislative Liaison, Secretary of the Air Force, Washington, DC.

A superior leader, Master Sergeant Wilkins assisted me and members of the U.S. delegation to the NATO Parliamentary Assembly during trips to France, Spain, Italy, Belgium, Macedonia, Albania, Croatia, Turkey, Germany and the Netherlands. He performed magnificently, upholding the highest standards of professional conduct and through his efficient planning, these trips were a complete success.

Madam Speaker, I respectfully request my distinguished colleagues join me in expressing our sincere appreciation to Master Sergeant Wilkins for his extraordinary service to the United States Air Force and our great Nation. On behalf of members serving on the U.S. NATO Parliamentary Assembly delegation, I say we will miss his expertise and positive attitude, but most importantly, we will miss his friendship.

Betty Ann and I wish Rob, his wife, Amy and son, Robert, the very best as they face new and exciting challenges in the coming years.

## RULES OF THE HOUSE

SPEECH OF

## HON. DENNIS A. CARDOZA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 6, 2009*

Mr. CARDOZA. Mr. Speaker, at the beginning of the 110th Congress, the new Democratic majority reinstated the proven PAYGO rules that were abandoned by President Bush and the then-Republican Congress as an important first step in ending reckless spending and getting our country back on track fiscally.

I am proud to say that the House rules package for the 111th Congress maintains the Democratic commitment that government should live within its means—just as every family across America must live within its own budget.

While the House of Representatives consistently adheres to the PAYGO rules, the fact remains that these are tough times for our country economically and financially.

Millions of American families' jobs and livelihoods are at risk and we have the responsibility to react in a timely and efficient manner.

As such, Blue Dogs have worked to include an emergency exception to the House PAYGO rules, similar to the emergency provisions used throughout the 1990s, so that Congress has the flexibility it needs to respond to extraordinary circumstances.

Let me be clear: This is not just simply a way around PAYGO. This can only be used in the event of true, defined emergencies such as war, a response to an act of terrorism, a natural disaster, or even the current economic crisis.

What is profoundly difficult in all this is that just 8 years ago, President Bush inherited—and squandered—a projected \$5.6 trillion surplus from President Clinton.

Had President Bush not abandoned the Blue Dog principles of fiscal responsibility that we have long preached, the projected \$5.6 trillion dollar surplus would have been available for us to respond to the economic crisis in a swift and effective manner, without having to ask foreign nations such as China, Saudi Arabia, and Iran to pay our bills.

In spite of our Nation's current ailments, one thing is for certain. PAYGO is and must continue to be our guiding principle. We should not be in the economic and fiscal situation that we are today, and it's high time we start doing the right thing by paying for what this country buys.

# RECOGNIZING THE UBLY HIGH SCHOOL BEARCATS 2008 FOOTBALL SEASON

## HON. CANDICE S. MILLER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 7, 2009*

Mrs. MILLER of Michigan. Madam Speaker, I rise today to acknowledge the inspiring and truly remarkable football season displayed both on and off the field by the Uby High School Bearcats from Huron County.

The Bearcats took an undefeated record of 13 wins and 0 losses in to the Division 7 State Championship at Ford Field in Detroit against

perennial powerhouse Traverse City St. Francis. Although at the end of the contest St. Francis had prevailed on the scoreboard, Uby can stand proud with their heads held high. I think former Green Bay Packers Coach Vince Lombardi said it best, "We didn't lose the game; we just ran out of time."

The 2008 season was comprised of more than just film sessions, chalk talks and wind sprints but something beyond the parameters of just football. Sadly in early October, the entire Uby community experienced a tremendous loss when former teammate and classmate, David Ostenski, passed away from cancer at age 17. David was diagnosed while a member of the JV team but courageously continued his support of the football team despite his ailing physical condition. Less than 2 weeks before his passing, David was recognized during a special ceremony at the homecoming game and even took pictures with the homecoming court proudly wearing his #44 black and orange jersey.

This small rural town sought comfort in each other, rallied together as family and used football as a form of therapy to ease the pain of this devastating loss. To commemorate his life, each player wore David's name on his helmet and broke each huddle saying his name.

Led by Head Coach Bill Sweeny, these 24 young men conveyed the true meaning of the human spirit, in what was a historic run to the school's first finals appearance, and that through tragedy you can find triumph.

When you reflect upon the entire season, everyone can agree that these young men are "real" champions and they should be proud of all their accomplishments. They persevered when confronted with adversity and matured quickly beyond their years. They learned that life is not always fair but instead of giving up they stepped up to meet each challenge head-on and will forever have those experiences to help them grow in the future.

Thank you to the 2008 Uby Football Team for providing coaches, school officials, students, and parents with an outstanding season. I commend you all! Way to go Bearcats.

## "BRIAN ROTHSCHILD: MAN OF THE YEAR"

## HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 7, 2009*

Mr. FRANK of Massachusetts. Madam Speaker, after the congressional redistricting of 1992 and the subsequent election, I won the great responsibility and challenge of representing America's most prosperous fishing port—the City of New Bedford and the Town of Fairhaven. Over these past sixteen years I have worked very hard in conjunction with the people in the fishing industry to help create the conditions in which they can do their work which is so important not just to the region in which they are located, but to the entire country. As we stress the importance of people eating in a healthier manner, the role of seafood becomes all the more important, and preserving the ability of people in the fishing industry to perform this service they do for the rest of us is a major part of my job.

In some cases, our advocacy can be fairly easy, as a matter of principle. But there are

also cases in which mastering a very complex body of data is essential if we are to do our job right. We are of course in the Congress assisted in doing that by the extremely talented and dedicated people we are lucky enough to have on our staffs, but we are also in need of help from outside. In the case of the fishing industry, no individual during my career has been as important as Dr. Brian Rothschild of the University of Massachusetts Dartmouth.

Brian Rothschild combines in an extraordinary degree technical expertise, practical knowledge, political savvy, and an ability to understand all viewpoints and articulate his own that makes him an enormous asset to those concerned with the fishing industry. He is a model of how public policy discussions should be conducted. Not surprisingly, the New Bedford Standard Times recently named him their South Coast Man of the Year, an honor that is beyond dispute an extremely well deserved one.

Madam Speaker, I ask that the article from the New Bedford Standard Times chronicling the extraordinary work of Dr. Rothschild and his importance to the fishing industry be printed here, since this is an industry which is greatly impacted by our activity and about which the Members should know a great deal.

[From South Coast Today, Jan. 1, 2009]

## A BIG FISH IN MARINE SCIENCE

Teacher, fisherman, furniture maker, marine scientist—there isn't much that University of Massachusetts Dartmouth professor Brian Rothschild can't do and do well.

Luckily for the city of New Bedford, sometime in the 1990s he set his mind on seeking ways to save the local scallop fishery. A little over a decade later, scallops have made the city the biggest fishing port, in terms of dollars worth of seafood caught, in the United States.

Around the same time that Dr. Rothschild, now 74, started studying scallops, he also started building up the faculty and facilities at the UMD Center for Marine Science and Technology (SMAST), making it into one of the nation's quality schools of ocean science. He was dean of the marine school from 1995 through 2006, the school's formative decade, when it first began attracting a world-class faculty.

For his efforts on behalf of the fishermen of New Bedford and the seafood economy to their fisheries, and for his efforts in making UMass Dartmouth a growing center of marine science and research, Brian J. Rothschild is The Standard-Times 2008 SouthCoast Man of the Year.

Nominations for the award came from the community and members of the newspaper staff. Recipients were selected by a newsroom committee.

"He's really made a big difference in the fishing industry in New Bedford," said Rodney Avila, the owner of two scallop boats and the city's representative to the New England Fisheries Management Council (a coalition of industry, conservation, and government officials that recommends regulations for the region's fisheries).

Dr. Rothschild and UMass Dartmouth professor Kevin Stokesbury developed a system of counting scallops by using an underwater camera to photograph their beds at the bottom of the ocean.

Previously, the National Marine Fisheries Service (NMFS) had estimated scallops by the numbers caught in fishing nets, a method that invariably led to undercounting, Dr. Rothschild said.

Dr. Rothschild and Dr. Stokesbury proved the government conservationists' methods of measuring scallops were wrong.



The underwater camera, in addition to being able to count scallops not caught in nets, was also able to count scallops in ocean areas that federal regulators had closed to scallopers. They found the scallop numbers in the closed areas were also greatly underestimated.

"I've always supported the idea of controlling fishing, but I also support the idea of the best science," Dr. Rothschild said. "What we did was really good science."

Jean MacCormack, the chancellor of UMass Dartmouth, noted the singular nature of Brian Rothschild convincing a federal regulatory agency to change its practices.

"It's pretty unusual," she said, "to develop a methodology that NMFS accepted."

"NMFS was saying there were no scallops and they proved them wrong," Mr. Avila said. "That was one of the main components of the rejuvenation of the scallop industry."

New Bedford Mayor Scott Lang is unqualified in his praise of Brian Rothschild.

"I think he's the difference between the scallop industry prospering, as they have in the last decade, versus being in the same situation as groundfish," he said.

The mayor was referring to the fact that the New Bedford groundfishing industry has suffered from stringent federal fishing regulations.

New Bedford was the nation's busiest port last year, for the ninth year in a row, with 60 million pounds of fresh seafood landed, with a value of \$281 million, principally due to the scallop catch.

Dr. Rothschild stresses that he's a big supporter of conserving fisheries but, because fish live below the surface, they aren't easily measured. He thought that if he could improve the science, he could benefit both the fishery and the fishermen.

"There was some resistance from the fisheries service. And some of the conservation groups thought our estimates were in error, but it's a solid scientific process we went through," he explains.

Dr. Rothschild subscribes to a view of ocean ecology that the fishermen, and their fishing efforts, are themselves an integral part of the ocean ecology of a given area.

"You have to look at a balance between the substantial effects that humans have on the (fish) populations and the productivity of the populations. That's what conservation is in this day and age."

Because fishing species, under certain conditions and to a certain extent, proliferate in the wake of a fishing effort, Dr. Rothschild set out to balance the maximum amount of fishing effort needed to benefit human beings with the maximum amount of fishing effort needed to benefit the population of fish species.

Currently, SMAST is studying counting methods for groundfish (which unlike scallops, move around in the ocean). The objective is to obtain more accurate counts of the groundfish (haddock, cod, yellowtail flounder) in the New England fishery.

Because the federal government's currently accepted methods of counting groundfish counting show the stocks are depressed, NMFS intends to further restrict the fishing effort—which is already a barely profitable industry—next year.

The failure to find a better method for integrating the effects of fishing and groundfish proliferation has had devastating effects on the local industry, Dr. Rothschild said.

"You can see all this happening in New Bedford. The (fish) populations are being managed biologically yet there's a tremendous amount of economic grief," he said. "The societal grief won't be realized until these contemplated cuts (in the fishing effort) take place."

People will be displaced from their jobs and end up on government "welfare," dependent on the taxpayers, he said.

In addition to his professional fields of expertise, Dr. Rothschild is an active advocate for area fisheries and his research on important government and quasi-government boards and commissions. He worked for the National Oceanic and Atmospheric Administration in the 1970s as a senior policy adviser so he well understands how the regulatory bureaucracy works.

Presently, he chairs New Bedford's Ocean and Fisheries Council (an advocacy group for the city's fishing interests), co-directs the Massachusetts Marine Fisheries Institute (a research partnership between UMass Dartmouth and the state Division of Marine Fisheries) and chairs the Scientific and Statistical Committee of the Mid-Atlantic Fisheries Management Council.

The goal is to bring fishing regulations more into line with statistics that better reflect ocean science, including in the economics of the fisheries, he said.

"One measure of performance is overfishing, another is optimal yield (of fish), another is minimal angst among the people that are regulated," he said. "I think we could do a much better job so we need to increase the dialogue with the agency. (That's) a step that Barney Frank and the mayor and I have been involved in."

Congressman Frank, who along with Sens. John Kerry and Edward Kennedy, has long advocated for the city's interests in Washington, said Dr. Rothschild has been very helpful in making the scallop industry more successful.

"The beauty of Brian is that he knows the scene better than anybody else," he said.

Dr. Rothschild's reputation as a scientist has given his studies credibility with the federal government, said Mayor Lang.

A former professor at the state universities of Maryland and Washington, Brian Rothschild is the author of nearly 100 papers and books and is an acknowledged expert in fish population dynamics, biological oceanography, and natural resources policy. Next year, in collaboration with several West Coast fishery scientists, he will publish a book on the future of fisheries science in North America.

Mayor Lang calls him the perfect expert on the Magnusson-Stevenson Act that governs American fisheries.

"He understands how it relates to species and he understands how it relates to human beings," he said.

Dr. MacCormack noted that even though Dr. Rothschild has an international reputation as a scientist, he is completely at home with the fishermen and fishing boat owners on the New Bedford docks.

"When you see him present a paper to academics, he speaks their language, but he can go to the fish auction and speak their language, too," she said.

Boat owner Rodney Avila gave a similar assessment.

"He doesn't talk down to fishermen, he talks with them. That's important," he said.

"He's a good, all-around man," said Mr. Avila.

Brian Rothschild has dug deep into New Bedford in the 13 years he's been at UMass Dartmouth.

He and his wife, Susan, have refurbished one of the long-neglected Victorian houses in the city's West End and he has a studio in the North End where, in his spare time, he builds replicas of 18th century furniture.

He has traded in the sailboat he first came to New Bedford in for a 40-foot "Novi," a recreational fishing boat where he and Susan fish for local fish that make good eating: stripers, fluke and whatever else in local waters that might taste good.

His wife, like himself, loves fishing and ocean studies so it makes for an interesting

crew, he said, the dry sense of humor he's well known for coming through.

Dr. Rothschild said he hopes his New Bedford legacy will be the use of ocean science to continue the revival of the fishing industry, and he hopes that SMAST can continue to build the quality of its faculty so it becomes one of the nation's elite marine science schools.

It may be, however, that Dr. Rothschild's biggest legacy will be tied to the people of New Bedford themselves.

He admits that his survey is unscientific but he says the city has changed since 1995 when he first arrived, sailing his own boat from Maryland to the city, passing Cuttyhunk and then finally coming up a foggy Acushnet River.

"When I moved here, the houses were, in general, in a state of disrepair. The economy looked bleak," he said. "As the economy and the fish auction developed, the community seemed brighter and better furnished and more prosperous."

That's not a bad legacy, for an ocean scientist who sees local fishermen as part of the sea's ecology.

## INTRODUCTION OF THE MOUNT MCKINLEY NAME ACT

**HON. TIM RYAN**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 7, 2009

Mr. RYAN of Ohio. Madam Speaker, Representative BETTY SUTTON and I offer the attached bill, on behalf of the now-retired Congressman Ralph Regula (R-OH).

January 29th brings the birthday of President William McKinley, a native son of Niles, Ohio and a true patriot whose presidency was tragically ended by assassination. In order to preserve President McKinley's memory and continue to honor him, it is fitting to retain the name of North America's highest point, Mount McKinley. Reaching an astounding height of 20,320 feet, Mount McKinley honors this prominent figure who was not only a fallen President but also a Union veteran of the Civil War. Mount McKinley has borne the name of our 25th Commander-in-Chief for over 100 years. We must retain this national landmark's name in order to honor the monumental legacy of this great President and patriot.

**GAZA**

**HON. ELLEN O. TAUSCHER**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 7, 2009

Mrs. TAUSCHER. Madam Speaker, I am observing the violence unfolding in the Middle East with great concern. My constituents, like many across the nation, are horrified by the loss of life that is occurring on top of several decades of strife, and yearn for a solution that would bring stability to the region. I continue to believe that the United States has a central part to play and must return to an active and engaged role as mediator between Israel and the Palestinian people.

The solution to the Israeli-Palestinian conflict is also a regional one, and it is high time that all countries in the neighborhood play an active role in supporting a two state solution.

The aspirations of the Palestinian people and of their Israeli neighbors will continue to be undermined if Iran and Syria continue to funnel support for terrorist groups who kill innocent civilians and challenge the aspirations of moderates.

Just like we in our country would and have responded to a terrorist attack on our soil, I fully support the right of Israel to defend its people against rockets launched by Hamas. Hamas has fired more than 6,300 rockets and mortars at Israeli population centers since Israel withdrew from Gaza in 2005. No country can endure such actions. Hamas had an opportunity to govern the Gaza strip and work with Israel to meet the needs of the Palestinian people when Israel withdrew from Gaza in August 2005. Instead of renouncing its goal to eliminate the Israeli state and provide true leadership for the Palestinian people, Hamas chose violence and most recently broke the cease-fire which Egypt had brokered.

Fatah in the West Bank and Palestinian moderates have shown the way by growing the economy there. Moderates on both sides will find lasting solutions which must then be actively supported by our new administration, the region and our European allies. Until that time when all parties can return to the negotiating table, I urge Israel to keep its operation focused on its core goal of eliminating the military threat posed by Hamas while protecting the lives of civilians who must be Israel's partners in the future.

#### RECOGNIZING LUCIUS YOUNG OF SPRING HILL, FLORIDA

#### HON. GINNY BROWN-WAITE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 7, 2009*

Ms. GINNY BROWN-WAITE of Florida. Madam Speaker, I rise today to honor Lucius Young of Hernando County, Florida. Lucius will do something later this year that all of us strive to do, but that very few of us will ever accomplish, celebrate his 100th birthday.

Lucius Young was born May 8, 1909 in Martel, Florida. A native Floridian, Lucius attended school at Howard University, Georgetown University and Fessenden Academy. He eventually married Muriel Young and the two did not have any children. While one of his proudest memories is his high school graduation, he remembers when his brother earned the title Professor and he was able to address him as such.

During World War II, Lucius served in the Army Infantry, where he met general Douglas MacArthur and heard him make the statement, "I shall return." He also met President Franklin D. Roosevelt when he became a special representative of the president as a commissioned officer. Lucius said he was also happy to meet Mrs. Roosevelt. Lucius retired from the military as a commissioned officer. In fact, Lucius's proudest moment was when his mother said that he made her proud when he became a commissioned officer.

Lucius moved to Hernando County when he married his wife Muriel. Today Lucius says that just eating, sleeping and reading give him all the pleasures he needs to be content. He likes it here in Hernando County because it's clean and quiet. Lucius' advice for young peo-

ple is to study hard in school including subjects you don't like.

Madam Speaker, I ask that you join me in honoring Lucius Young for reaching his 100th birthday. I hope we all have the good fortune to live as long as him.

#### INTRODUCING THE CRITICAL ELECTION INFRASTRUCTURE ACT OF 2008

#### HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 7, 2009*

Mr. HASTINGS of Florida. Madam Speaker, I rise today to introduce the Critical Election Infrastructure Act of 2009.

This legislation is a necessary and vital investment in our citizens and the future of our democracy. This bill authorizes \$1 billion to states and local governments over the next four years for the acquisition of additional voting systems and equipment, improving training of election administration officials, upgrading existing election equipment, and allocating additional election administration officials to polling places serving greater numbers of voters. This funding is essential to improve efficiency and fairness in the operation of polling places in federal elections.

President Dwight Eisenhower once said, "The future of this republic is in the hands of the American voter." In the 2008 Presidential election, an astounding 130 million people voted and, even more exciting, an unprecedented number of youth and minorities lined up at the polls to participate in the electoral process, many for the first time. While this increased turnout is emblematic of our nation's commitment to our future, in some parts of the country it caused undue difficulties.

For example, throughout South Florida and elsewhere in the country, hundreds of thousands of voters found themselves waiting on interminable lines, sometimes for over five hours. *Five hours!* Forced to stand in the heat and during Florida's famous afternoon thunderstorms with little food and water, voters are to be commended for their civic commitment. But American citizens should not have to face such difficulties when exercising their sacred right to vote.

Elections officials simply did not have enough equipment and trained personnel on the ground to speedily and effectively handle such large numbers of voters. Clearly what is needed is more: more polling booths, more trained workers, more equipment, and more polling locations and facilities to handle increasing numbers of voters.

Madam Speaker, voting should not be a right granted only to those who can stand in line the longest or can go the longest without food or a bathroom break. Voting is the sacred right of all eligible citizens. We have a solemn responsibility to ensure the greatest possible access to exercise that right. Authorizing funding for the necessary equipment and personnel is an essential first step in that process. I urge my colleagues to support this legislation.

HONORING RANDALL JOHNSON

#### HON. LYNN A. WESTMORELAND

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 7, 2009*

Mr. WESTMORELAND. Madam Speaker, at the end of 2008, a great Georgia lawman turned in his badge to retire after a long, distinguished career.

Randall Johnson worked for Fayette County as sheriff for 32 years. At his retirement, he was one of the longest serving sheriffs in the state of Georgia. But more important, he was one of the most distinguished sheriffs in Georgia.

Sheriff Johnson oversaw the department during three decades of incredible growth. In the 1970s when Johnson first won election to the post, the Fayette Sheriff's Department has less than a dozen employees in a county then considered a rural outpost. By the time he left, the department had transformed into a modern law enforcement operation that protected a large suburban county in the booming metropolitan Atlanta region. Sheriff Johnson acted as a constant, a steady hand and a voice of leadership throughout those times of change.

The sheriff's post fulfilled Johnson's lifelong dream. He said at his graduation from Fayette County High School in 1960 that he was going to be sheriff one day. He got his start in law enforcement working for the state of Georgia, busting moonshine operations along the multitude of Georgia's creeks and streams. As testament to the depth of respect he holds in the community, some of those moonshiners he arrested decades ago showed up at his retirement party to wish him well.

During my two decades in politics, I've seen a lot of politicians come and go. Most are quickly forgotten. It is the rare public official who holds the job for three decades. It is even rarer that one constantly maintains the integrity, dignity and honesty that Sheriff Johnson demonstrated in office.

I'm well aware that, as I enter my third term in the U.S. House of Representatives, I owe a large debt to Sheriff Johnson. I got my start in politics in Fayette County as a state representative. No one in the county back then won office without the express consent of Sheriff Johnson. His support was the Good Housekeeping Seal of Approval for any local campaign. He carried great weight not because he carried the proverbial big stick but because he had earned the people's trust and respect. His loyalty and backing through all these years humbles me.

In Fayette County, "sheriff and -Randall Johnson" are synonymous. When he entered a room, everybody knew the sheriff had arrived—even if he wasn't wearing his uniform. His presence was a statement in itself. The county will sorely miss one of the greatest leaders in its history, but the department that he has built up will carry on, and its continued success will serve as part of Sheriff Johnson's legacy.

On behalf of the people of Georgia's 3rd Congressional District, I want to thank Sheriff Johnson for his lifetime of service to the people of Georgia and to Fayette County. He is a great American and an inspiration to us all. Best wishes to Sheriff Johnson and his wife Kaye as they enter a new phase of life in retirement, a reward that's richly deserved.

RECOGNIZING NANCY PASQUALINO  
OF SPRING HILL, FLORIDA

**HON. GINNY BROWN-WAITE**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 7, 2009*

Ms. GINNY BROWN-WAITE of Florida. Madam Speaker, I rise today to honor Nancy Pasqualino of Hernando County, Florida. Nancy has done something that all of us strive to do, but that very few of us will ever accomplish, celebrate her 101st birthday.

Nancy was born May 12, 1907 in Brooklyn, New York. Coming from a loving family, Nancy grew up and attended school in Brooklyn. She did not get married or have any children, but she did have a long career as a bookkeeper and office manager at Gucci Shops on 5th Avenue in New York City. While she has not met any famous people in her life, Nancy said she and her sister Connie are second cousins to Mother Theresa.

Living in Hernando County with Connie, Nancy says that the beautiful weather is what drew her to this area of Florida. Still active in the community, she is still driving her car and has recently renewed her driver's license. She enjoys the company of her sister and likes to read literature. Nancy's advice to young people today is that they should always listen to their parents.

Madam Speaker, I ask that you join me in honoring Nancy Pasqualino for reaching her 101st birthday. I hope we all have the good fortune to live as long as her.

BIPARTISAN CONGRESSIONAL DELEGATION TO NATO PARLIAMENTARY ASSEMBLY MEETINGS

**HON. JOHN S. TANNER**

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 7, 2009*

Mr. TANNER. Madam Speaker, during the period November 10–November 18, I led a bipartisan House delegation to NATO Parliamentary Assembly, NPA, meetings in Valencia, Spain and to additional meetings in Rome and Florence, Italy. The co-chair of the NPA delegation was the Hon. JOHN SHIMKUS. The delegation also included, Representatives JO ANN EMERSON, DENNIS MOORE, JOHN BOOZMAN, BARON HILL, KENDRICK MEEK, CHARLES MELANCON, CAROLYN MCCARTHY, MELISSA BEAN, JEFF MILLER, MIKE ROSS, DAVID SCOTT and staff. The NPA delegation had a highly successful trip in which a wide range of political, economic and security issues on NATO's agenda, as well as issues involving the U.S.–Italy bi-lateral relationship, were examined.

The NATO Parliamentary Assembly, NPA, consists of parliamentarians from all 26 NATO member states. The NPA provides a unique forum for elected officials to analyze and debate issues that the NATO leadership discusses in Brussels. In addition to the 26 member parliaments, parliamentarians from countries such as Russia, Georgia, Croatia, and Afghanistan also participated in the sessions as associate states or observers and engaged in the discussions and debates. Through these sessions, delegates have the opportunity to

learn first-hand the views and concerns that other countries have over the key security issues of the day. An invaluable aspect of the meetings is the chance to meet and come to know members of parliaments who play important roles in their own countries in shaping the security agenda that their governments pursue at NATO. These contacts can endure through a career, and can provide an invaluable private avenue for insights into each ally's particular views on an issue.

As NATO approaches its 60th anniversary summit in April 2009, the key issues on the agenda of the Alliance include the broader issue of the future of NATO and more specific issues including relations with Russia, energy security, missile defense, the conflict in Afghanistan, and emerging threats, such as piracy. Each of these issues was on vigorous display at the NPA meetings. The conflict between Russia and Georgia that played out this past August was the one issue that dominated the Valencia sessions. Many members of the Alliance expressed concern that Russia has begun to implement an increasingly assertive security policy including efforts to intimidate neighboring states, through the threat of force. There was also continued concern that Russia would use its energy supplies as a political lever to influence European policy. It was clear from our meetings that not only the United States and NATO, but the European Union as well, are concerned about Moscow's posture on a wide range of issues. There were, however, differences of opinion over how to structure future relations between NATO and Russia as well as the NPA and the Russian delegates to the Assembly. While the consensus among the delegates was that dialogue between NATO and the NPA and Russia was important and should continue, there were calls for the NPA to take some action against the Russian delegation as a show of displeasure over Russia's conduct in Georgia. As a result, the Assembly, at large, adopted a series of measures limiting, for now, the participation of the Russian delegation. These measures included, among others, the downsizing of the Russian delegation and the suspension of Russian participation in Committee and Sub-committee visits and the Transatlantic Forum.

In addition to these issues, many of the NPA delegates were extremely interested in the outcome of the U.S. Presidential elections and how the incoming administration would conduct relations with Europe in general and with NATO in particular. Questions over the incoming Administration's views on Afghanistan, Iran and missile defense were on everyone's agenda. A highlight of the session was a letter that President-elect Obama had written to outgoing NPA President Jose Lello of Portugal pledging to work with NATO and the NPA during the Obama administration.

Before the opening sessions of the Assembly's plenary the U.S. delegation received a detailed briefing from Ambassador Kurt Volker, the U.S. representative to NATO. He very ably prepared us for the nuances involved in some of the issues that would be debated during the NPA sessions, particularly regarding Russia and whether NATO should offer a Membership Action Plan to Georgia. In addition to the briefing by Ambassador Volker, various members of our delegation held private meetings with NATO Secretary General Jaap de Hoop Scheffer, who gave an overview of member

state perspectives on the most controversial issues confronting the alliance; he later addressed the NPA's plenary session. The Foreign Minister of Spain, who also addressed the plenary, briefed several of our Members. And, we met with General Bantz John Craddock, Supreme Allied Commander for Europe who covered a wide range of issues, including the situation in Afghanistan. I also had the opportunity to attend a private meeting with Mikheil Saakashvili, President of Georgia who recounted the August conflict between his country and Russia and what Georgia faces today with respect to reconstruction of the country.

Over two days of the NPA session, intense meetings of the NPA committees took place. There are five NPA committees. In each, parliamentarians presented reports on issues before the alliance. The reports were debated by all members of the committee who often made counter-arguments or suggestions for amending a report. Members of our delegation were present in each committee meeting.

I chaired the Economics and Security Committee, which heard reports on reconstruction efforts in Afghanistan, on Russia's economy, and on economic developments in India. Representative BOOZMAN was the co-rapporteur of this last report, which he very ably presented, and which generated an interesting discussion. The Committee also heard an interesting presentation by Rodrigo Rato, former managing director of the International Monetary Fund who spoke on the impact of the current global financial crisis. The Committee also heard from Lt. Gen. Karl Eikenberry, former head of the military command in Afghanistan who spoke on the nexus between security and development in Afghanistan.

The Political Committee heard several reports that touched off sometimes animated debates. Most notable were the reports on NATO's future political agenda and NATO's partnerships that included a lengthy discussion on the recent Russia-Georgia conflict and the future of Georgia's membership in NATO. There were significant differences of opinion on who actually was responsible for starting the war in Georgia and whether to grant Georgia a Membership Action Plan for eventual membership in NATO. U.S. Representative MIKE ROSS was a rapporteur for a report on a possible NATO political engagement with Iran. When Mr. ROSS was unable to present his paper to the Committee, Representative CAROLYN MCCARTHY stepped in and made the presentation. The report was well received. Representative BEN CHANDLER serves as a vice-chairman on this Committee and during the session, Representative CAROLYN MCCARTHY was elected to serve as a Subcommittee vice-chairperson.

The Defense and Security Committee heard two reports on NATO's ongoing operations, including the ISAF mission in Afghanistan and on the contributions non-NATO states were making to NATO operations. The Committee also received a report on NATO's future capability requirements. During the session, the Committee received presentations from the Minister of Defense of Spain, and the Defense Minister of Georgia. Representative TAUSCHER is a vice-chair of one of the Committee's subcommittees.

The Science and Technology Committee heard reports on energy security, reducing global nuclear threats, and on missile defense.

Representative DAVID SCOTT was very engaged on the issue of energy security and was successful in offering three amendments to the resolution proposed on energy and security.

The Committee on the Civil Dimension of Security also heard a report on energy security and the protection of energy infrastructure, along with reports on Kosovo and the future stability in the Balkans, and democracy and security in Central Asia. The Committee also heard presentations on the Balkans and Central Asia.

On Tuesday, the final day of the plenary, the general assembly debated and approved a resolution on relations with Russia. The consensus view was that NATO and Russia should resume their dialogue and continue to find ways to cooperate with each other on critical issues. Also on Tuesday, the Assembly elected new officers to serve during 2009. I had the honor of being elected President of the Assembly and look forward to an interesting and productive year.

Prior to arriving in Valencia for the NPA Plenary, the delegation traveled to Italy on November 10–13 for bi-lateral meetings in Rome and Florence. In Rome, the delegation received a briefing by U.S. Charge d' Affairs, Barbara Leaf and Embassy staff on current relations between Italy and the United States, that continues to be strong. After the briefing, the delegation, in honor of Veterans Day, traveled to the Sicily-Rome Cemetery in the town of Nettuno, just outside the city of Anzio.

During the Second World War, the critical Italian campaign was launched in Sicily and proceeded up the coast of Italy. The delegation visited the resting place of almost 8,000 U.S. soldiers, sailors, and airman who died in the liberation of Sicily and in the landings at Salerno and Anzio. The beautiful cemetery is managed by the U.S. American Battle Monuments Commission. Together, the members of the delegation laid a wreath at the cemetery's central monument, "Brothers in Arms." Members of the delegation also visited individual graves of fallen soldiers from their states to place a rose in memory of those servicemen. This was perhaps the most memorable and poignant moment of the delegation's trip. We were deeply honored to visit the cemetery and want to thank Ron Grosso of the Commission and Joseph Bevilacqua, Cemetery Superintendent, for their hospitality and the fine job they do preserving the memory of those U.S. servicemen who gave their lives in Italy.

Upon our return to Rome, the delegation visited the NATO Defense College for a tour and briefing by the College Commandant, Lt. Gen. Wolf-Dieter Loeser. The College was created in 1951 at the suggestion of General Dwight Eisenhower who argued that military officers from the newly created NATO Alliance "needed an establishment where they could meet and learn to operate together." The Commandant briefed us on the work taking place at the College and the issues currently under discussion in the Fall curriculum. We also had the opportunity to meet several U.S. military personnel attending the Senior Course.

Following the visit to the Defense College, the delegation visited the Italian Ministry of Defense. We were briefed by the Deputy Minister of Defense Crosetto and the head of the Italian General Staff, General Camporini who gave us an overview of the numerous oper-

ations that the Italian military were currently engaged in. Italy has approximately 8,000 troops stationed abroad, including 2,200 in the ISAF mission in Afghanistan, 2,500 in Lebanon, and 83 engaged in training the Iraqi National Police. This meeting provided a precise, focused discussion of how Italy is contributing to the global security mission.

Also in Rome, the delegation was hosted at a working lunch by Senator Sergio Di Gregorio, President of the Italian delegation to the NATO Parliamentary Assembly. We had a very animated discussion on issues ranging from the U.S. presidential elections, to Afghanistan, to Russia and energy security. At the time of our visit, the Italian Senate was in the middle of a debate on their defense budget. With the global economic crisis affecting everyone, Senator Di Gregorio told us that the defense budget for next year would be less than 1 percent of the Italian GDP. As a result, we were told it was unlikely that Italy could do much more in Afghanistan. Following our meeting at the Senate, the delegation met with Mr. Gianni Letta, Under Secretary of the Council of Ministers and close advisor to Prime Minister Berlusconi. Mr. Letta covered a range of issues but spent some time addressing the impact of the global financial crisis on Italy.

On November 13, the delegation traveled to Florence. We were met by U.S. Consul General Mary Ellen Countryman who briefed the delegation on the work the Consulate does in Tuscany and the surrounding region. Tuscany is home to several thousand U.S. citizens, retired, employed, or students studying abroad. While in Florence we also visited the European University Institute which operates a campus comprising doctoral students from all over Europe. We were warmly welcomed by EUI President Yves Menv, faculty and students. A lively discussion followed on the U.S. elections and its impact on transatlantic relations, the differences between the European and U.S. views of the world, and the future role of NATO, relations with Russia, and the conflicts in Iraq and Afghanistan.

Our visit to Italy concluded that evening at a dinner hosted by New York University which operates a campus outside Florence for American students studying in Italy. Our dinner was hosted by Ms. Ellyn Toscano, Director of the Campus. Ellyn is no stranger to the House of Representatives where she served for several years as the chief of staff to our colleague, JOSÉ SERRANO.

Madam Speaker, the NATO Parliamentary Assembly provides a unique opportunity for Members of Congress to engage in serious discussions on critical issues with our colleagues from other NATO member states. I believe our delegation, and thus this Congress, benefits greatly from the information we exchange and the personalities we meet during these meetings. I look forward to a very productive Assembly during 2009.

In conclusion, I would like to acknowledge the hard work and dedication of our Embassy staff in Rome and Madrid, our Consular services in Florence and our entire military escort group from the United States Air Force, including the pilots who took us to Europe and back for the NPA sessions. Our diplomatic corps and military personnel provide a quiet but invaluable service in ensuring safety and an efficient schedule for U.S. congressional delegations, and this group of diplomats, servicemen

and women was no exception. I thank them for their hard work and their dedication to duty.

## TRIBUTE TO MUNSON'S CHOCOLATES

### HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 7, 2009

Mr. COURTNEY. Madam Speaker, I rise today to honor Bob Munson and the employees of Munson's Chocolates which is headquartered in Bolton, Connecticut.

During the recent holiday season, I had the privilege of visiting Iraq and Afghanistan with a Congressional Delegation led by Representative GENE TAYLOR of Mississippi and witnessed first hand the important work being done by the men and women of our armed forces. Our group spent time meeting with civilian and military leaders serving on the ground in each country. The holidays are always a difficult time for the men and women of the armed forces as they are away from their loved ones. One of the things that they will tell you makes this time of year a little easier is to enjoy some of the comforts of home.

Thanks to Bob Munson, President of Munson's Chocolates of Bolton, the men and women of the 890th Engineer Battalion and the 926th Engineer Brigade, Multi-National Division currently serving in Baghdad were able to enjoy a sweet reminder of home. A few days before Christmas Congressman TAYLOR arranged for 2,000 pounds of shrimp gumbo to be served to the battalion and Munson's donated almost 600 Connecticut made chocolate bars for dessert. This gift is just another example of the generosity of the Munson family, who for generations has been active supporters of the military community.

The Munson family of employees is no stranger to the heartache families endure while their loved ones are serving overseas. During my visit to the Munson factory, I had the honor of meeting Kay Doherty. Kay's son Stephen recently returned from a tour in Iraq. As Kay can attest, the holidays are an extremely difficult and trying time for military families which is why this generous gift is so timely.

## HONORING JADE MOORE, THERE WAS NO BETTER FRIEND OF TEACHERS

### HON. C.W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 7, 2009

Mr. YOUNG of Florida. Madam Speaker, Pinellas County, Florida lost one of the pillars of our community and our teachers lost their greatest advocate December 16th with the passing of Jade Moore.

Jade served for 34 years as Executive Director of the Pinellas Classroom Teachers Association. In that role, he was the champion for teachers, but he was also the champion for the students they taught.

Jade Moore was a tough but fair negotiator, one who earned the trust and respect of all

those with whom he came in touch. He grew up in Pinellas County and was a product of Pinellas County schools having graduated from Clearwater High School.

His advice was eagerly sought not just by this Congressman but by Governors, legislators, school board members and community leaders. And it was just not advice on educational issues. In fact, Jade was just completing a difficult term as the Governor's appointee to the Florida Taxation and Budget Review Commission.

More than 700 people turned out this past Saturday to memorialize Jade Moore and pay tribute to his life as a husband, a father, an educator, a community leader, a Sunday school teacher, and a friend to many. Following my remarks, I will include an article "Boisterous and fitting farewell" by Thomas Tobin and Donna Winchester of The St. Petersburg Times on January 4, 2009 which talks about the very moving and uplifting memorial service. Also, I will include a December 20, 2008 column by Jon East of The St. Petersburg Times which describes Jade as a tough but friendly advocate. As Mr. East says in concluding his column, Jade Moore "honestly believed in saving one soul, one child, at a time."

Madam Speaker, at a time when our Nation looks to its elected leaders to come together and put politics aside to do the people's business, Jade Moore should be an enduring example of how we can serve our constituencies and express our views with respect rather than conflict. We have lost a great leader in Jade Moore, but we must not lose those lessons from a lifetime of leadership he leaves behind.

[From the St. Petersburg Times, Jan. 3, 2009]  
BOISTEROUS AND FITTING FAREWELL

(By Thomas C. Tobin and Donna Winchester)

CLEARWATER.—He loved roses and Broadway musicals. He stunk at golf, though he had a whale of a time playing it.

He was an optimist, active in his church, strong in his views. He was a reader and a smiler, a pundit, a partier, a people lover.

And when it came to teachers, Jade Thomas Moore—the executive director of the Pinellas teachers union for 34 years—was no pushover.

"He fought hard for them and he loved them," Tim Moore said at a memorial service for his brother Saturday. "If you want to remember Jade, remember that love for teachers."

Pinellas County's education and political communities turned out in force to remember Mr. Moore, who died Dec. 18 at age 61 after suffering his second stroke in a year.

More than 700 people jammed Trinity Presbyterian Church in Clearwater for an hourlong service that recalled his success as a family man, his long career as an educator and the outgoing personality that endeared him to allies and adversaries alike.

The congregation included state and county officials, legislators, judges, lawyers and school system employees of every stripe—from support workers and teachers to top administrators and school board members.

In keeping with Mr. Moore's love of food and celebration, hundreds of mourners reconvened at union headquarters in Largo for an evening of eating, drinking, tears, laughter and toasts.

Guests arrived to a massive potluck spread, a full bar and a chance to talk about Mr. Moore for up to three minutes.

A DJ played Broadway hits, popular songs from the 1950s and '60s and Mr. Moore's favorite, Blue Moon by the Marceles.

"The noise is what Jade would want to have happened," his wife, Sue Moore, told the crowd. "He would want us talking to each other and drinking a whole lot."

She offered a toast: "To the best man I've known and the best man I will ever know."

Said U.S. Rep. Kathy Castor, D-Tampa: "He believed in the power of education. He believed in the power of teachers. He believed we could take this state forward."

Kim Black, president of the Pinellas Classroom Teachers Association, said Mr. Moore served with her and 12 other presidents during his tenure.

"Jade has adapted to every one of us," she said. "He has been the constant. When we were weak, he was strong."

She said his favorite part of the job was visiting schools. Black and Mr. Moore had been to 40 so far this year and planned many more visits in the upcoming semester.

"He was about bringing joy to the workplace," Black said. "He was about bringing joy to everybody he knew."

County Commissioner Susan Latvala recalled her time on the Pinellas School Board from 1992 to 2000.

"I don't know if I would have survived those eight years without Jade," she told the crowd. "He would call me to say, 'Susan, why don't you come over to the office and we'll have a drink.' It was never a 15-minute conversation."

Upstairs at union headquarters Saturday, Mr. Moore's office remained as he left it on Dec. 15, his last day of work.

An avid reader who would polish off a dozen books during vacations to North Carolina, he had three books on his desk.

The titles: I Haven't Understood Anything since 1962, Educational Conflict in the Sunshine State and The Language of God.

Mr. Moore was known in Pinellas and across the state for his knowledge of Florida's budget and politics. He took tough stances, including pushing for a teacher raise this year even as the district plunged into a deep economic hole. But he maintained a collaborative style and an optimistic outlook.

"All of us knew that Jade meant what he said, that ... his views were in support of the many, not of the few, and that he would always, no matter what, stand by his beliefs," said the Rev. Victoria ByRoade, a local Presbyterian pastor who eulogized him Saturday. "Jade Moore was a man we could trust."

[From the St. Petersburg Times, Dec. 20, 2008]

A TOUGH, FRIENDLY ADVOCATE  
(By Jon East)

What made Jade Moore such an institution in Pinellas public education was also what made him such an invaluable source to those of us who watched from the sidelines. Moore, who died Thursday after suffering a stroke, knew his stuff. He believed in what he was doing, and he would never let education ideology cloud his plain assessment of right and wrong. And, yes, Moore would speak his mind, usually with blunt, sometimes profane and often comic effect.

Moore ran a union with 8,000 teachers and could throw a punch with the best of them. He retaliated to legislative cutbacks in 1991 by stuffing what was then called the Florida. Suncoast Dome with 15,000 educators and supporters holding signs imploring, "Don't Shortchange our Kids." He skewered a Pinellas School Board that in 1998 voted to seek an end to the federal court order on desegregation, and then fought a choice plan for student assignment that he viewed as a retreat. But Moore became a force in education policy for three decades in part because conflict was not really in his genes and was never his first impulse.

School boards and superintendents from other locales would marvel at the relationship between the Pinellas Classroom Teachers Association and the school administration. Most contracts through the years were signed after friendly collaboration, not threats and mediation. Moore came to respect most of the superintendents with whom he worked, though he remained partial to Scott Rose for his inspirational style through the 1980s. Moore managed to develop such strong bonds with school officials that former superintendent Clayton Wilcox made the unfortunate mistake upon his arrival in 2004 of seeing Moore as part of a good ol' boy network that needed to be rooted out. Moore remained as Wilcox left.

The Moore persona was a tapestry of color and contradiction. He would cuss enough to make the timid blush. But he also was a Sunday school teacher who really did live by the Golden Rule. Nothing got him angrier than to see teachers be made scapegoats for political causes or to be publicly humiliated for private and personal transgressions. But he would avoid like the plague defending any teacher who he believed didn't belong in the classroom. He was an unabashed liberal Democrat, but he befriended so many Republicans that he even managed an appointment from Gov. Charlie Crist to a constitutional taxation review panel. He could describe, in detail, the district cost differential multiplier in the Florida Education Finance Program but—much preferred to settle budgetary policy over a bottle of bourbon.

Back in the early 1990s, when tensions were high with then-superintendent Howard Hinesley, Moore was persuaded by a former PCTA president to lobby School Board members for the four votes necessary to remove Hinesley. He failed, and to the day he passed away he seemed to regret what he had done. Guerrilla politics were never Moore's style, and the failed attempt nearly severed his relationship with Hinesley. "I'll never go there again," he would say. "I won't do it."

The lesson was never lost, and Moore even found himself taking friendly fire as a result. A splinter group calling itself TUFF-Teach emerged in 2001, condemning what it saw as too much coziness between PCTA and school administrators and state lawmakers. But Moore was unyielding and argued that cooperation, not confrontation, is more productive in the long run. In his characteristic style, he said: "You don't score points by taking a dump on these guys."

What I always saw in Moore was an unfailingly sentimental view of public education. He would speak wistfully of his own days at Clearwater High School and the way such schools can be a gathering place for children from different walks of life. Nothing got him more emotional than to talk about a teacher who had made a difference in a child's life. That was the Sunday school teacher in Jade. He honestly believed in saving one soul, one child, at a time.

RECOGNIZING ROSE RUSSO OF  
SPRING HILL, FLORIDA

HON. GINNY BROWN-WAITE  
OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES  
Wednesday, January 7, 2009

Ms. GINNY BROWN-WAITE of Florida. Madam Speaker, I rise today to honor Rose Russo of Hernando County, Florida. Rose will do something later this year that all of us strive to do, but that very few of us will ever accomplish, celebrate her 100th birthday.

Rose Russo Was born April 11, 1909 on 63rd Street and 1st Avenue in New York City,

New York. Following her schooling in Brooklyn, Rose went on to work at the New York Health Department as a tab-operator.

Marrying Anthony Russo, Rose went on to have two daughters and is now the proud grandmother of nine grandchildren. Her happiest moments include her 50th wedding anniversary and touring our beautiful country.

Rose's proudest moment was seeing her daughter and her grandchildren graduate from college. In fact, Rose's youngest grandson now has his PhD.

Eventually moving to Hernando County, Rose decided to live with family because her daughter and son-in-law didn't want her to live alone. Today she enjoys relaxing with a book

and knitting. Her advice to young people is to stay in school and get a good education.

Madam Speaker, I ask that you join me in honoring Rose Russo for reaching her 100th birthday. I hope we all have the good fortune to live as long as her.



## SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, January 8, 2009 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED  
JANUARY 9

9:30 a.m.

Health, Education, Labor, and Pensions

To hold hearings to examine the nomination of Hilda L. Solis to Secretary of Labor.

SD-430

Joint Economic Committee

To hold hearings to examine the employment situation in December 2008.

SD-106

## JANUARY 13

9 a.m.

Budget

To hold hearings to examine the nominations of Dr. Peter R. Orszag, of Massachusetts, to be Director, and Robert L. Nabors II, of New Jersey, to be Deputy Director, both of the Office of Management and Budget.

SD-608

9:30 a.m.

Foreign Relations

To hold hearings to examine the nomination of Hillary R. Clinton to be Secretary of State.

SH-216

10 a.m.

Budget

To hold hearings to examine the nomination of Mr. Shaun Donovan, of New York, to be Secretary of Housing and Urban Development.

SD-538

Energy and Natural Resources

To hold hearings to examine the nomination of Steven Chu to be Secretary of Energy.

SD-366

Health, Education, Labor, and Pensions

To hold hearings to examine the nomination of Arne Duncan to be Secretary of Education.

SD-430

## JANUARY 14

10 a.m.

Agriculture, Nutrition, and Forestry

To hold hearings to examine the nomination of Thomas J. Vilsack to be Secretary of Agriculture.

SD-G50

Environment and Public Works

To hold hearings to examine the nominations of Lisa P. Jackson to be Administrator of the Environmental Protection Agency, and Nancy Helen Sutley to be Chairman of the Council on Environmental Quality.

SD-406

Health, Education, Labor, and Pensions

Business meeting to consider pending calendar business.

SD-430

Veterans' Affairs

To hold hearings to examine the nomination of Eric Shinseki to be Secretary of Veterans Affairs.

SD-106

2 p.m.

Homeland Security and Governmental Affairs

To hold hearings to examine the nominations of Dr. Peter R. Orszag, of Massachusetts, to be Director, and Robert L. Nabors II, of New Jersey, to be Deputy Director, both of the Office of Management and Budget.

SD-342

## JANUARY 15

9:30 a.m.

Energy and Natural Resources

To hold hearings to examine the nomination of Ken Salazar to be Secretary of the Interior.

SD-366

Foreign Relations

Business meeting to consider the nomination of Hillary R. Clinton to be Secretary of State; to be followed by a hearing to examine the nomination of Susan E. Rice to be Representative to the United Nations, with the rank and status of Ambassador, and the Representative in the Security Council of the United Nations, and to be Representative to the Sessions of the General Assembly of the United Nations during her tenure of service as Representative to the United Nations.

SH-216

Judiciary

To hold hearings to examine the nomination of Eric H. Holder to be Attorney General of the United States.

SR-325

10 a.m.

Banking, Housing, and Urban Affairs

To hold hearings to examine the nominations of Mary Schapiro, of New York, to be Chairman of the Securities and Exchange Commission; Christina Romer, of California, to be Chair of the Council of Economic Advisors; Austan Goolsbee, of Illinois, and Cecilia Rouse, of New Jersey, each to be a Member of the Council of Economic Advisors; and Daniel Tarullo, of Maryland, to be a Member of the Board of Governors of the Federal Reserve System.

SD-538

Homeland Security and Governmental Affairs

To hold hearings to examine the nomination of Janet A. Napolitano to be Secretary of Homeland Security.

SD-342

2:30 p.m.

Indian Affairs

To hold hearings to examine job creation and economic stimulus in Indian country.

SD-628

## JANUARY 27

9:30 a.m.

Armed Services

To hold hearings to examine challenges facing the Department of Defense.

SD-106

# Daily Digest

## Senate

### Chamber Action

*Routine Proceedings, pages S153–S179*

**Measures Introduced:** Thirteen bills and one resolution were introduced, as follows: S. 22–30, 163–166, and S. Res. 9. **Pages S168–69**

**Nominations—Agreement:** A unanimous-consent agreement was reached providing that the nominations to the Office of Inspector General, except the Office of Inspector General of the Central Intelligence Agency, be referred in each case to the committee having primary jurisdiction over the department, agency, or entity, and if and when reported in each case, then to the Committee on Homeland Security and Governmental Affairs for not to exceed 20 calendar days, except in cases when the 20-day period expires while the Senate is in recess or adjournment, the committee shall have 5 additional calendar days after the Senate reconvenes to report the nomination, and that if the nomination is not reported after the expiration of that period, the nomination be automatically discharged and placed on the Executive Calendar. **Page S175**

**Nominations Received:** Senate received the following nominations:

27 Air Force nominations in the rank of general. Routine lists in the Air Force, Army, Marine Corps, and Navy. **Pages S176–79**

**Messages from the House:** **Page S167**

**Measures Placed on the Calendar:** **Pages S153, S167**

**Measures Read the First Time:** **Pages S153–54, S167**

**Executive Communications:** **Pages S167–68**

**Additional Cosponsors:** **Pages S169–70**

**Statements on Introduced Bills/Resolutions:** **Pages S170–75**

**Additional Statements:** **Pages S165–67**

**Privileges of the Floor:** **Page S175**

**Adjournment:** Senate convened at 11:30 a.m. and adjourned at 7:09 p.m., until 10:30 a.m. on Thursday, January 8, 2009. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S176.)

### Committee Meetings

*(Committees not listed did not meet)*

No committee meetings were held.

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## House of Representatives

### Chamber Action

**Public Bills and Resolutions Introduced:** 62 public bills, H.R. 225–286; 1 private bill, H.R. 287; and 22 resolutions, H.J. Res. 6–11; H. Con. Res. 4–10; and H. Res. 23–31, were introduced. **Pages H68–71**

**Additional Cosponsors:** **Page H71**

**Reports Filed:** There were no reports filed today.

**Speaker:** Read a letter from the Speaker wherein she appointed Representative Tauscher to act as Speaker pro tempore for today. **Page H39**

**Counting of Electoral Votes:** The House agreed to S. Con. Res. 1, to provide for the counting on January 8, 2009, of the electoral votes for President and Vice President of the United States. **Page H42**

**Joint Committee on Inaugural Ceremonies:** The House agreed to S. Con. Res. 2, extending the life of the Joint Congressional Committee on Inaugural Ceremonies. Subsequently, the Chair announced the Speakers reappointment of the following Members of the House of Representatives to the Joint Congressional Committee on Inaugural Ceremonies: Representatives Pelosi, Hoyer, and Boehner. **Page H42**

**Suspensions:** The House agreed to suspend the rules and pass the following measures:

*Amending chapter 22 of title 44, United States Code, popularly known as the Presidential Records Act, to establish procedures for the consideration of claims of constitutionally based privilege against disclosure of Presidential records:* H.R. 35, to amend chapter 22 of title 44, United States Code, popularly known as the Presidential Records Act, to establish procedures for the consideration of claims of constitutionally based privilege against disclosure of Presidential records, by a  $\frac{2}{3}$  yeas-and-nays vote of 359 yeas to 58 nays, Roll No. 5; **Pages H42–45, H49**

*Amending title 44, United States Code, to require information on contributors to Presidential library fundraising organizations:* H.R. 36, to amend title 44, United States Code, to require information on contributors to Presidential library fundraising organizations, by a  $\frac{2}{3}$  yeas-and-nays vote of 388 yeas to 31 nays, Roll No. 6; and

**Pages H45–48, H50**

*Ensuring that the compensation and other emoluments attached to the office of Secretary of the Interior are those which were in effect on January 1, 2005:* S.J. Res. 3, to ensure that the compensation and other emoluments attached to the office of Secretary of the Interior are those which were in effect on January 1, 2005.

**Page H48**

**Recess:** The House recessed at 11:00 a.m. and reconvened at 12 noon.

**Page H49**

**Administration of the Oath of Office:** Representatives-elect Gutierrez, Hastings (WA), and Rogers (MI) presented themselves in the well of the House and were administered the oath of office by the Speaker.

**Page H49**

**Moment of Silence:** The House observed a moment of silence in honor of the men and women in uniform who have given their lives in the service of our nation in Iraq and Afghanistan, their families, and all who serve in the armed forces and their families.

**Page H49**

**Whole Number of the House:** The Speaker announced to the House that the whole number of the House is 433.

**Page H49**

**Attendance at the Inauguration of the President and Vice President:** The House agreed to H. Res. 23, providing for the attendance of the House at the Inaugural Ceremonies of the President and Vice President of the United States.

**Page H50**

**Committee Elections:** The House agreed to H. Res. 24, electing the following Members to certain standing committees of the House of Representatives: Committee on Appropriations: Representatives Mur-

tha, Dicks, Mollohan, Kaptur, Visclosky, Lowey, Serrano, DeLauro, Moran (VA), Olver, Pastor, Price (NC), Edwards (TX), Kennedy, Hinchey, Roybal-Allard, Farr, Jackson (IL), Kilpatrick (MI), Boyd, Fattah, Rothman, Bishop (GA), Berry, Lee (CA), Schiff, Honda, McCollum, Israel, Ryan (OH), Ruppertsberger, Chandler, Wasserman Schultz, Rodriguez, Lincoln Davis (TN), and Salazar. Committee on Armed Services: Representatives Spratt, Ortiz, Taylor, Abercrombie, Reyes, Snyder, Smith (WA), Loretta Sanchez (CA), McIntyre, Tauscher, Brady (PA), Andrews, Davis (CA), Langevin, Larsen (WA), Cooper, Marshall, Bordallo, Boren, Ellsworth, Patrick Murphy (PA), Johnson (GA), Shea-Porter, Courtney, Loeb sack, Gillibrand, Sestak, Giffords, Tsongas, Nye, Pingree (ME), Kissell, Heinrich, Kratovil, Massa, and Bright. Committee on Energy and Commerce: Representatives Dingell, Markey (MA), Boucher, Pallone, Gordon (TN), Rush, Eshoo, Stupak, Engel, Gene Green (TX), DeGette, Capps, Doyle, Harman, Schakowsky, Gonzalez, Inslee, Baldwin, Ross, Weiner, Matheson, Butterfield, Melancon, Barrow, Hill, Matsui, Christensen, Castor, Sarbanes, Murphy (CT), Space, McNerney, Sutton, Braley (IA), and Welch. Committee on Financial Services: Representatives Kanjorski, Waters, Maloney, Gutierrez, Velázquez, Watt, Ackerman, Sherman, Meeks (NY), Moore (KS), Capuano, Hinojosa, Clay, McCarthy (NY), Baca, Lynch, Miller (NC), Scott (GA), Al Green (TX), Cleaver, Bean, Moore, Hodes, Ellison, Klein (FL), Wilson (OH), Perlmutter, Donnelly (IN), Foster, Carson (IN), Speier, Childers, Minnick, Adler (NJ), Kilroy, Driehaus, Kosmas, Grayson, Himes, Peters, and Maffei. Committee on Transportation and Infrastructure: Representatives Rahall, DeFazio, Costello, Norton, Nadler (NY), Corrine Brown (FL), Filner, Eddie Bernice Johnson (TX), Taylor, Cummings, Tauscher, Boswell, Holden, Baird, Larsen (WA), Capuano, Bishop (UT), Michaud, Carnahan, Napolitano, Lipinski, Hirono, Altmire, Walz, Shuler, Arcuri, Mitchell, Carney, Hall (NY), Kagen, Cohen, Richardson, Sires, Edwards (MD), Ortiz, Hare, Boccieri, Schauer, Markey (CO), Griffith, McMahon, Perriello, Titus, and Teague. Committee on Ways and Means: Representatives Stark, Levin, McDermott, Lewis (GA), Neal (MA), Tanner, Becerra, Doggett, Pomeroy, Thompson (CA), Larson (CT), Blumenauer, Kind, Pascrell, Berkley, Crowley, Van Hollen, Meek (FL), Schwartz (PA), Davis (AL), Davis (IL), Etheridge, Linda T. Sánchez (CA), Higgins, and Yarmuth. **Pages H66–67**

**Senate Messages:** Message received from the Senate by the Clerk and subsequently presented to the House today and a message received from the Senate today appear on pages H39 and H42.

**Senate Referrals:** S. Res. 2 and S. Res. 8 were held at the desk. **Pages H39, H42**

**Quorum Calls—Votes:** Two yea-and-nay votes developed during the proceedings of today and appear on pages H49 and H50. There were no quorum calls.

**Adjournment:** The House met at 10:00 a.m. and adjourned at 3:14 p.m.

## *Committee Meetings*

### COMMITTEE ORGANIZATION

*Committee on Rules:* Met for organizational purposes. The Committee adopted its rules of procedure for the 111th Congress.

## *Joint Meetings*

No joint committee meetings were held.

## COMMITTEE MEETINGS FOR THURSDAY, JANUARY 8, 2009

*(Committee meetings are open unless otherwise indicated)*

### Senate

*Committee on the Budget:* to hold hearings to examine the Congressional Budget Office (CBO) Budget and Economic Outlook, 10 a.m., SD-608.

*Committee on Energy and Natural Resources:* to hold hearings to examine current energy security challenges, 9:30 a.m., SD-366.

*Committee on Environment and Public Works:* to hold oversight hearings to examine the Tennessee Valley Authority (TVA) and the recent major coal ash spill, 10 a.m., SD-406.

*Committee on Health, Education, Labor, and Pensions:* to hold hearings to examine the nomination of Thomas A. Daschle to be Secretary of Health and Human Services, 10 a.m., SD-430.

*Committee on Homeland Security and Governmental Affairs:* to hold hearings to examine lessons from the terrorist attacks in Mumbai, India, 1:30 p.m., SD-342.

*Committee on the Judiciary:* to hold hearings to examine ways to help state and local law enforcement during an economic downturn, 10 a.m., SD-226.

### House

No committee meetings are scheduled.

*Next Meeting of the SENATE*

10:30 a.m., Thursday, January 8

*Next Meeting of the HOUSE OF REPRESENTATIVES*

10 a.m., Thursday, January 8

## Senate Chamber

**Program for Thursday:** Senate will be in a period of morning business.

(At 12:45 p.m., Senate will proceed as a body to the House of Representatives for a joint session to count the electoral votes.)

(Senate will recess from 3:30 p.m. until 4:45 p.m. for the Democratic party conference.)

## House Chamber

**Program for Thursday:** The House will meet in Joint Session with the Senate to count the electoral votes for President and Vice President of the United States.

## Extensions of Remarks, as inserted in this issue

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